Supreme Court, U.S.
FILED
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No. 01 258

In The

Supreme Court of the United States

Yvonne Liebel

Petitioner,

v.

Eugene Grant, Esq.; Robert Nagro; Richard Solomon; Ridgefield Bank; Weil, Gotshal and Manges, LLP; Bridge to Brotherhood, Inc.; Mark Hoeing, Esq.; David Stone, Esq.; Ira Millstein, Esq.; Marvin Jacob, Esq.; Reynolds and Rowella, LLP., PricewaterhouseCoopers, LLP/Kesselman & Kesselman;

Respondents.

On Petition For Writ Of Certiorari
To State Of Connecticut Appellate Court

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

I Is an Interlocutory Order not-appealable where Due Process is denied a civil litigant?

II Is civil litigant's due process not violated when the litigant is denied counsel?

III Does pretrial managerial judging in Complex Litigation Courts violate due process when the courts depart from state adjudication standards without a well- publicized body of rules and procedures that is accessible to all litigants?

Questions addressing violations of Petitioner's constitutional rights to Due Process and Equal Protection Of The Laws under the Fourteenth Amendment of The United States Constitution

This litigant's life and her family's are at risk

PARTIES TO THE PROCEEDINGS

Plaintiffs /Petitioners

Yvonne Liebel, Petitioner, is an individual and has no corporate affiliation; **The Alliance Foundation, Inc.**, a Connecticut 501 (c)(3) non-stock corporation; **Alliance Capital, Inc.**, a Connecticut corporation with no parent or publicly held company; **General Homes, Inc.** a Connecticut corporation with no parent or publicly held company; **Alliance International Development Corp.**, a Connecticut corporation with no parent or publicly held company; **DTL-USA, Inc.**, a Connecticut Corporation with no parent or publicly held company.

Defendants/Respondents

Eugene Grant, Esq., an individual and has no corporate affiliation ; **Robert Nagro,** an individual and has no corporate affiliation; **Richard Solomon,** an individual and has no corporate affiliation; **Ridgefield Bank**, a Connecticut corporation, a commercial bank with no parent or publicly held company; **Weil, Gotshal and Manges, LLP,** a New York limited Liability Partnership; **Mark Hoeing, Esq.**, an individual and has no corporate affiliation; **David Stone, Esq.**, an individual and has no corporate affiliation; **Bridge to Brotherhood, Inc.**, a New York 501(c)(3) non stock corporation; **Ira Millstein, Esq.**, an individual and has no corporate affiliation; **Marvin Jacob, Esq.**, an individual and has no corporate affiliation; **Reynolds and Rowella, LLP.** a Connecticut , Limited Liability Partnership; **PricewaterhouseCoopers, LLP/Kesselman & Kesselman,** a Delaware Limited Liability Partnership.

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The Order granting Defendants' Motion To Dismiss Plaintiffs' Appeal in the case of The Alliance Foundation, Inc. et al. v. Eugene Grant et al. No. A.C. 21419, and is set forth in the Appendix hereto (App. A at page 1a)

The Order of The Supreme Court Of The State of Connecticut denying Plaintiffs' Joint Petition for Certification to The Supreme Court is set forth in Appendix hereto (App. A4 at page 6a)

BASIS FOR JURISDICTION

The judgment of the Connecticut Appellate Court was entered on March 21, 2001. The Order of the Supreme Court Of The State Of Connecticut denying the Plaintiffs' Joint Petition for Certification to The Supreme Court was entered on May 7, 2001. This petition for writ of certiorari is filed within ninety days from that date. 28 U.S.C. Section 2101 (c). The jurisdiction of this Court is invoked under 28 U.S.C. Section 1257.

STATUTORY PROVISIONS INVOLVED

Fourteenth Amendment of The United States Constitution:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property without due process of law, not deny to any person within its jurisdiction the equal protection of the laws."

Connecticut Public Act 99-215, Section 27, subsection (a) provides for a transfer of a case to Complex Litigation Docket, and the Connecticut Superior Court Rules-Civil Matters Rules 23-13, 23-14, and 23-15, governing the Complex Litigation Docket.

Rule 23-13 states as follows:

The Chief Court Administrator, or the Chief Administrative Judge of the Civil Division may designate a group of cases that have many parties in common, questions of law, or fact as complex litigation cases and assign the cases to a single judge for pre-trial, trial, or both and, if appropriate, may assign the cases to another judge or court officer for settlement or meditation discussions.

Rule 23-14, states as follows:

The judge to whom complex litigation cases have been assigned may stay any or all further proceedings in the cases, may transfer any or all further proceedings in the cases to the Judicial District where the judge is sitting, may hear all pre-trial motions, and may enter any appropriate order which facilitates the management of the complex litigation cases.

Rule 23-15, states as follows:

An attorney or judge may request the Chief Court Administrator to make an assignment pursuant to Section 23-13. The request shall be submitted, in writing, to the Chief Court Administrator and the Chief Administrative Judge of the Civil Division. When an attorney makes such a request, the attorney shall serve a copy of the request on all other parties pursuant to Section 10-12 through 10-17. Should the Chief Court Administrator deem it appropriate to do so, the Chief Court Administrator may solicit comments on the request by causing a notice to be published in the Connecticut Law Journal.

STATEMENT OF CASE

"... NO STATE SHALL MAKE OR ENFORCE ANY LAW WHICH SHALL ABRIDGE THE PRIVILEGES AND IMMUNITIES OF CITIZENS OF THE UNITED STATES, NOR SHALL ANY STATE DEPRIVE ANY PERSON OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS OF LAW, NOR DENY TO ANY PERSON WITHIN ITS JURISDICTION THE EQUAL PROTECTION OF THE LAWS."

The Constitution of The United States of America ("Fourteenth Amendment")

Exercising Managerial Judging through the enforcement of Connecticut Superior Court Rules-Civil Matters Rules 23-13, 23-14, and 23-15, governing the Complex Litigation Docket, the Connecticut Superior Court derailed legal proceedings when it forcefully transferred a case at the pretrial stage from its original court where proper venue lies to a new and distant Complex Litigation Docket with broad and unclear judicial discretion that at pretrial stage is seldom subject to appeal. The Superior Court actions were further sanctioned when the Connecticut Appellate Court granted the Defendants' "Motion to Dismiss Appeal" (Hon. Judge Barry R. Schaller, Recused) on the basis that appeal was interlocutory and the Court lacked jurisdiction. The Superior Court actions were sanctioned once again when the Supreme Court denied the Plaintiffs' "Joint Petition for Certification." Throughout the transfer and appeal process the Courts severely abridged privileges and immunities of the Petitioner in this action depriving her of life, liberty and property without Due Process and denying her equal protection of the laws as guaranteed to her under the Fourteenth Amendment of the United States Constitution.

The Petitioner, Yvonne Liebel, is founder and president of a small Connecticut public charity, The Alliance Foundation, Inc., established in 1990, and related corporations: Alliance Capital, Inc.; Alliance International Development Corp.; General Homes, Inc.; and DTL-USA, Inc. On January 10, 2000 DTL-USA, Inc. and Yvonne Liebel filed a Summons and Complaint in the Judicial District of Danbury in Danbury, Connecticut, against Ridgefield Bank of Ridgefield, Connecticut, Docket No. CV00-0338142 - S (the bank case), alleging UCC and other violations against the Bank.

On February 18, 2000, The Alliance Foundation, Inc. and Yvonne Liebel, filed a second Summons and Complaint in the Judicial District of Danbury against Eugene Grant; Richard Solomon and Robert Nagro (officers/directors of the Foundation), Docket No. CV00-0338520-S (the lead case). The action alleges conspiracy to destroy the Foundation and defraud the Plaintiffs of their assets. At the center of the Foundation's assets are two breakthrough IRS private-letter-tax-rulings that the Petitioner, Yvonne Liebel, originated in 1991 and 1996 for the Foundation; and equities in five start-up companies that the Foundation assisted between 1993-1998.

On or about July 7, 2000, the Plaintiffs filed a Motion to Cite In four additional Defendants to the lead case: Ridgefield Bank (the Plaintiffs' bank since 1990); and Weil, Gotshal and Manges LLP; Mark Hoenig, Esq.; and David Stone, Esq. (the Foundation's pro bono attorneys and trustees since 1990). Within a few days, Honorable Judge Radcliff granted the Plaintiffs' motion. On September 1, 2000, the Plaintiffs filed a Motion for Joinder of three additional Plaintiffs: Alliance Capital, Inc.; Alliance International Development Corp.; and General Homes, Inc., and a Second Amended Complaint that included all new Plaintiffs and Defendants. In a "Request to Revise" the complaint, Defendant, Eugene Grant asked for 66 revisions. Honorable Judge Radcliff granted the Defendant 8 revisions.

The main reason for not including all parties in the initial complaint was that the in-house out-of-state-counsel the Plaintiffs hired in October 1999, Richard Gregg, insisted that these parties could always be added in subsequent amended complaints during discovery proceedings, which would not present a problem as the State of Connecticut had a liberal policy with regard to future amendments. This single misleading advice caused the Plaintiffs undue delays and appeals that critically damaged the Plaintiffs' litigation and their resources.

Due to continuous conflicts, in May 2000, Attorney Gregg was sent back to his home state. He continued, however, to advise the Plaintiffs long distance until he resigned on October 12, 2000. Also in May 2000, a part time in-house Connecticut counsel, Attorney Joyce Morin was hired. Attorney Morin who suffers from Multiple Sclerosis practices family law in the State of New York. Her professional and physical limitations necessitated the hiring of additional Connecticut litigation counsel, Attorney Kevin Ahern, on an as needed basis to conserve funds.

On October 12, 2000, following the two favorable rulings for the Plaintiffs, and before the Defendants filed their answers, the Defendants filed an application to transfer the lead case to a Complex Litigation Docket in another city (Stamford, Connecticut) about one hour from the originating Court and where the Defendants' law firms are located. The Defendants have unlimited resources and are represented by major Connecticut law firms. The Plaintiffs have limited resources and legal counsel and the Petitioner, who is not an attorney generates all pleadings. The Defendants' stated reason for the transfer was that one judge should oversee the case to trial for judicial economy (App. D, at 22a). On October 12, 2000, Plaintiffs filed an objection to the transfer citing extreme physical and financial hardships that would result from such transfer, as well as, an exhaustive logistic burden for them and their counsel to litigate this matter long distance (App. D1, at 23a).

On October 24, 2000, an Administrative Judge in Hartford, Connecticut, Honorable Judge John J. Langenbach, exercised judicial management and issued an Interlocutory Order granting the Defendants' application to the transfer (App. D2, at 25a) without the benefit of a hearing in the Danbury Superior Court and against the Plaintiffs' numerous compelling objections. Also, the case was transferred although Honorable Judge Taggart Adams, in a Status Conference on October 16, 2000 in the Danbury Superior Court, agreed to exclusively supervise the case (App. B, at 11a) resolving the Defendants' main reason for the transfer.

Further, Judge Langenbach's transfer Order failed to include the bank case, although the Plaintiffs filed Motions to Consolidate in both cases, as they stemmed from the same fact pattern and shared common parties. In splitting venues, Judge Langenbach separated the cases, an action that was contrary to the motions' intent.

Judge Langenbach's Interlocutory Order also interrupted a commitment made by Judge Adams at his October 16, 2000 Status Conference, to rule within 48 hours (App. B1, at 12a) on the following pleadings he ordered the Plaintiffs to file by October 24, 2000: Motions to Consolidate their two cases; a reclaim of their Motion for Joinder of Additional Plaintiffs (since it was passed over on September 18, 2000 when it came up on the Court's short calendar); Request to Amend Second Amended Complaint and a Third Amended Complaint; and a Motion to Add New Party Defendants .

As a result of the interlocutory transfer order, Judge Adams did not rule on the Plaintiffs' pleadings on October 26, 2000 as he stated. Instead, on November 15, 2000, Honorable Judge Arthur Hiller, partially fulfilling Judge Adams commitment, ruled on the Plaintiffs' Motion to Cite in New Party Defendants (App. D3, at 26a). Judge Hiller ordered to cite in three of five Defendants: Bridge to Brotherhood, Inc. (Weil, Gotshal and Manges' new charity that replaced The Alliance Foundation, Inc. and took over its assets); Ira

Millstein, Esq.; Marvin Jacob, Esq.; (senior partners at Weil, Gotshal and Manges and members of the charity's board of directors). Judge Hiller's decision excluded two indispensable Defendants: the local accounting firm of Reynolds and Rowella, LLP (member of the board of directors of Ridgefield Bank and the Plaintiffs' accounting firm since 1988), and PricewaterhouseCoopers, LLP/Kesselman & Kesselman (associates of Weil, Gotshal and Manges, LLP in this matter). On November 15, 2000, Judge Hiller did not rule on the remaining documents. Bridge to Brotherhood, Inc., Ira Millstein, and Marvin Jacob were properly served in December 2000, but they have not yet filed appearances or answers in this action.

Although the Plaintiffs were allowed to object to Judge Langenbach's transfer Order at a subsequent hearing on November 15, 2000 at the Complex Litigation Docket in Stamford, Connecticut (App. D4, at 27a), the presiding Judge, Honorable Judge Kevin Tierney's conduct and statements at the hearing indicated that the dye was cast with regard to the transfer long before the hearing and that the hearing was a mere formality.

In addition, during the hearing Judge Tierney indicated that his Court was accorded greater latitude in case supervision than other State Courts although there wasn't clear indication as to what rules or policies the Plaintiffs would be subjected to at the Complex Litigation Docket (App. C2, at 15a). Judge Tierney also stated he had the power to reverse prior decisions made by other Superior Court Judges and planned to exercise it by eliminating the existing decision on the request to revise (App. C3, at 16a.) Judge Tierney indicated that access to his Court's file would be extremely difficult, (App. C4, at 17a) and ignored the Petitioner's cries for help in securing counsel that would remain true to the case, a problem that plagued the Plaintiffs' ability to litigate caused by the Defendants' significant power and applied "pressures" (App. C5, at 17a). Finally, Judge Tierney overruled the Petitioner's numerous objections to the transfer (App. C6, at 19a), including her argument that although the case had multiple Defendants it was not too complex for the

Danbury Court to supervise (App. C7, at 20a). Judge Tierney rendered his decision from the bench without a written memorandum or a verbal explanation and stated that this was his Court's usual conduct (App. C8, page 21a). None of the Motions were ruled on at the hearing.

On November 20, 2000, five days after the hearing at the Complex Litigation Docket, the Defendant, Eugene Grant, filed three simple/frivolous contract actions in the Danbury Court, Case No. CV-00-0341050 - S, Eugene Grant v. The Alliance Foundation, Inc.; Case No. CV-00-0341048-S and case No. CV- 00-0341049-S, Eugene Grant v. Alliance Capital, Inc. (the Grant cases). Alliance Capital was a sought joinder in the Motion for Joinder of Additional Plaintiffs which was still pending at the time these actions were filed. Since their filing, the Grant cases served as a litigation ploy that managed to successfully disturb proceedings in the lead cases.

In December 2000, The Alliance Foundation, Inc. and Alliance Capital, Inc. moved for consolidation of the Grant cases with the lead case. The matter appeared on the Danbury Court's short calendar on January 2, 2001. At the hearing in the Danbury Superior Court, the Court clerk instructed the Petitioner and counsel, Joyce Morin, to leave the Court before marking their Motion ready by stating that the matter was transferred to Complex Litigation Docket, verbally referring to written Court instructions from Complex Litigation that didn't exist. As a result, the Motion was not ruled on that day, instead, on January 8, 2001, Judge Adams issued an Order delaying the decision for 30 days (App. D5, at 28a), during which time the Court transferred the Grant cases to Complex Litigation Docket without a hearing in the Danbury Court. On January 26, 2001, the Corporations filed objections to the transfer. On February 22, 2001, the Court scheduled a hearing on the transfer at the Complex Litigation Docket for March 12, 2001 (App. D6, at 30a).

On November 27, 2000, the Plaintiffs filed an appeal with the Appellate Court in Hartford, Connecticut, appealing both Judge Langenbach and Judge Tierney's Interlocutory transfer orders; the Court's failure to rule on their properly filed motions; the Court 's exclusion of two party defendants; and Judge Adams Order at the October 16, 2000 conference to make their Third Amended Complaint a "final" complaint ("I'm inclined to let the plaintiffs file and serve one more complaint with the provision that it is going to be the last one." Excerpt from Judge Adams' conference on October 16, 2000. At that point none of the Defendants had filed answers and facts were still unfolding).

In both the October 16, 2000 Status Conference and in the November 15, 2000 hearing at the Complex Litigation Docket the Plaintiffs raised issues of due process and difficulties with counsel. The Plaintiffs raised the due process issue more comprehensively in their Appellate Brief filed on January 25, 2001 (App. A5, at 8a). The four Volume brief included the pending motions; Third Amended Complaint and exhibits, etc. The Plaintiffs raised this issue again when on January 29, 2001 they filed their objection to the Defendants' Motion to Dismiss Appeal filed on January 10, 2001. In their motion to dismiss the Defendants argued that the appeal was interlocutory and the Appellate Court lacked jurisdiction. In their objection, the Plaintiffs argued that the Courts' decisions "concluded" their rights and violated their due process and therefore should be considered "final" and deserving of appeal.

From November 15, 2000 to date, Judge Tierney's decisions continued to stun the Petitioner. Judge Tierney:

1. Ordered corrections of only sixteen out of at least twenty errors and omissions found in his Court's November 15, 2000 transcript, all in favor of the Defendants, leaving out significant four changes (App. D7, at 31a);

2. With regard to the March 12, 2001 hearing on the transfer of the Grant cases to Complex Litigation Docket, the Court denied motions for continuance with good cause: The Appellate Court decision on the transfer of the lead case was expected any day (App. D9, at 36a), which would affect proceedings. In addition, although Petitioner informed the Court she was ill in California and Attorney Morin was unable to represent the Corporations alone, the Court insisted on holding the hearing on that date which brought about Attorney Morin's dismissal to avoid possible misrepresentations at the hearing. This action later necessitated the filing of appearances by Attorney Kevin Ahern in these matters;

3. Denied Attorney Joyce Morin's Motion for Continuance to obtain new counsel citing a rule applicable to a resigning attorney not a dismissed attorney (App. D10, at 38a), forcing her to appear at his March 12, 2001 hearing against her clients' instructions and creating for her a conflict of interest between the Court and her clients. Attorney Morin stated that as "An Officer Of The Court" she had to abide by Judge Tierney's order and appear at the hearing;

4. Overruled at his March 12, 2001 hearing, the Corporations' objection to transfer the Grant cases from the Danbury Superior Court to Complex Litigation Court without an authorized counsel present at the hearing and without a memorandum of decision explaining his ruling (App. D11, at 38a);

On March 21, 2001, the Court of Appeals for the State of Connecticut dismissed the Plaintiffs' appeal (App. A, page 1a) by simply granting the Defendants' "Motion to Dismiss Appeal." Honorable Judge Barry R. Schaller recused. (Hon. Judge Barry R. Schaller is author of "Managerial Judging: A Principled Approach to Complex Cases in State Court", CT Bar Journal, April 1994. Cite: 68 Conn. B.J. 77). The Court wasted almost three months to consider the transfer to Complex Litigation Docket; the Court failure to rule on motions; and claims of Due Process violations, only to quickly dismiss appeal on a motion denying the Petitioner 's right to review.

The Appellate Court, through its Case Manager seemed to have coordinated its actions and decisions with the Complex Litigation Docket, as well as, with Petitioner's counsel, Attorney Kevin Ahern:

1. The Court forwarded the Motion for Rectification of the Danbury Court October 16, 2000 Transcript (which also contained numerous errors and omissions favoring the Defendants), to Judge Tierney. The Court never forwarded the motion to the appropriate Court, Judge Adams. Upon dismissing the appeal the Court ORDERED that no further action was necessary on the motion as appeal was dismissed (App. D12, at 39a and App. D13, at 40a);

2. The Court forwarded the Motion for Rectification of Docket Sheets and Missing Files intended for the Clerk at the Danbury Superior Court to the wrong Court, to Judge Tierney, AT complex Litigation. Upon dismissing the appeal the Court ORDERED that no further action was necessary as appeal was dismissed. (App. D8, at 34a and D14, at 41a);

3. The Petitioner found that the Court published on the Internet, in error, that appeal was withdrawn instead of dismissed. On inquiry, the Court informed Petitioner it was a Complex Litigation Docket error and that the Court corrected it;

4. The Court sent its March 21, 2001 Order to Dismiss Appeal to the Petitioner's address in Connecticut while the Case Manager was well aware that Petitioner was ill in California. On March 30, 2001, Petitioner received an "urgent" fax from Attorney Kevin Ahern that "as he was passing through Stamford" (two hours from his office) he stopped at Complex Litigation Docket, where the Clerk informed him that the appeal in the lead case was dismissed on March 22, 2001 (App. D15, at 42a). Learning about the dismissal nine days after it was rendered cut by half the number of days the Plaintiffs had to appeal to the Supreme Court, but long enough to

allow Attorney Ahern to commence on March 29, 2001, a joint appeal in the Grant cases, appealing Judge Tierney's decision to transfer the cases to his Court. If the appeal in the Grant cases was finalized this "maneuver" would at least: A. prevent a direct and immediate appeal from the Superior Court (from Judge Tierney's March 12, 2001 decision) to the Supreme Court Pursuant to C.G.S Section 52-265a B. a ruling from the Appellate Court could take months (Court delays have characterized this litigation) C. the Grant cases could not join the lead cases in a "Joint Petition to the Supreme Court" E. a duplicate appeal in the Grant cases was certain to invite a "Motion to Dismiss" and a "Motion for Sanctions" by opposing counsel;

5. Petitioner scrambled to get an extension of time for the lead case to file "Petition For Certification to the Supreme Court" but Attorney Ahern was uncooperative, he continuously, "pushed" to finalize the Grant appeal although he knew it was inappropriate and against his clients best interests (App. D 16, at 43a). When Petitioner refused to proceed with it, he threatened to and later resigned. Petitioner finally called opposing counsel and obtained from him an extension until April 25, 2001, which the Court had to approve. Petitioner also scrambled to quickly file "Motions for Extension of Time" on behalf of the bank case and the Grant cases in order to join them with the lead appeal on April 25, 2001. Attorney Ahern only wasted time, provided misleading advice and produced nothing;

6. On April 6, 2001, Judge Tierney assigned the lead case a new Complex Litigation Docket number effective March 30, 2001 (App. D17, at 47a). Deadline for appealing the decision was April 11, 2001;

7. Although the Corporations did not pursue the appeal in the Grant cases and no documents were filed with the Appellate Court, Attorney Ahern, as late as April 18, 2001, kept advising Petitioner that the Appellate Court left him messages and spoke to him, inquiring about the appeal. On the morning of April 19, 2001,

Petitioner wrote a letter to the Court and Attorney Ahern advising them (what Attorney Ahern had known for a long time) that the Corporations in the Grant cases planned to file a direct appeal to the Supreme Court and join it with the lead case and the bank case on April 25, 2001. A few hours later, Petitioner received a fax from Attorney Ahern of an Appellate Court Notice dated April 16, 2001, assigning this non-appeal an Appellate docket number, AC 21768 and a Case Manager, contrary to P.B. Section 63-3 (App. D18, at 48a). An hour later, Petitioner received another fax from Attorney Ahern: Motion to Dismiss and Motion for Sanctions dated April 17, 2001 by opposing counsel against the Corporations. In his cover letter dated April 20, 2001 Attorney Ahern advised to answer the motions, but Petitioner refused, so not to validate this appeal. Attorney Ahern never informed his client of this Court error. When Petitioner brought the matter to his attention he defended the Court and patronized her with irrelevant legal arguments;

8. The Appellate Court's docket sheets posted that the "Motion to Dismiss Appeal" in the Grant cases was filed by the Defendants Corporations instead of by Eugene Grant;

9. Attorney Ahern answered the Motion for Sanctions on his own behalf, against his clients' instructions arguing that as "An Officer Of The Court" he had to answer the motion although the appeal was invalid. Petitioner then asked him to at least postpone his answer until after the Plaintiffs filed their Petition to the Supreme Court on April 25, 2001, which would still leave him ample time to file. Counsel filed his answer on April 23, 2001;

10. The events surrounding the Grant cases' appeal caused the resignation of Attorney Ahern in April, although he agreed to remain until new counsel was retained. On April 22, 2001, he wrote a short summary to the Appellate Court (App. D19, at 49a). On June 21, 2001, the Appellate Court "Granted" Eugene Grant his "Motion to Dismiss Appeal" in the Grant cases A.C.21768 (App. D20, at 51a) and "Denied" his "Motion for Sanctions (Honorable Judge Barry R.

Schaller recused in both orders). (App. D21, at 52a.) Attorney Ahern did not offer an explanation for his conduct. Immediately following these decisions, Petitioner accepted his resignation. On June 18, 2001, Attorney Joyce Morin, unexpectedly and without notice also resigned. On June 22, 2001, Petitioner informed the Complex Litigation Docket, to which all cases were now transferred (except the bank's case) of these developments (App.D25, at 57a).

Although both Attorneys Morin and Ahern were requested to fax copies of their withdrawal forms, Petitioner is yet to receive them. Attorney Morin reiterated her resignation in a letter to Defendant Eugene Grant's counsel (App. D22, at 53a). At the time of filing of this Writ of Certiorari, the corporations are without counsel.

On July 18, 2001, the Complex Litigation Docket sent out notices that the Grant cases were transferred to the Court and were assigned new Docket numbers: CV-01-0184857-S (X05); CV-01-0184858-S (X05); CV-01-0184858-S. Also, that a conference was scheduled for August 29, 2001 at 2:00PM, with regard to these cases only.

To date, nine months after Judge Langenbach issued his Interlocutory Order, none of the Plaintiffs' pleadings have been ruled on which stymied proceedings and brought this litigation to a dead stop. Without Connecticut counsel and a dismissed appeal, Petitioner hoped that the "Joint Petition for Certification to the Supreme Court" would finally consolidate all matters for the Court's review and return the case from Complex Litigation in Stamford to the Danbury Court where proper venue lies.

On April 23, 2001, Petitioner filed on behalf of the bank case: DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank Docket No.CV00-0338142-S, a "Motion for Extension of Time (until April 25, 2001) to File Joint Petition for Certification to the Supreme Court" to join the Petition for Certification with the lead case A.C. 21419/Docket No.CV00-0338520- S and the Grant cases: Eugene

Grant v. The Alliance Foundation, Inc., CV00-0341050S; Eugene Grant v. Alliance Capital, Inc., CV00-0341049S; And Eugene Grant v. Alliance Capital, Inc., CV00-0341048. The extension of time was from the date of November 15, 2000, when Judge Hiller at the Danbury Court failed to rule on the "Motion to Consolidate" the case. Legal basis for the motion for extension of time: C.G.S. Sections 52-264; 52-265; 52-265a; P.B. Sections 84-2 (3)(4)(5); and the Fourteenth Amendment of the United States Constitution.

Also on April 23, 2001, Petitioner filed on behalf of the Corporations a "Motion for Extension of Time (until April 25, 2001) to File Joint Petition to the Supreme Court" in the Grant cases: Eugene Grant v. The Alliance Foundation, Inc., CV00-0341050S; Eugene Grant v. Alliance Capital, Inc., CV00-0341049S; And Eugene Grant v. Alliance Capital, Inc., CV00-0341048; to join the Petition for Certification with the lead case A.C. 21419/Docket No.CV00-0338520- S and the bank case DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank Docket No.CV00-0338142-S. The extension of time was from March 12, 2001 the date Judge Tierney overruled the Corporations' objection to the transfer of the Grant cases to Complex Litigation Docket. Legal basis: C.G.S. Sections 52-264; 52-265; 52-265a; P.B. Sections 84-2 (3)(4)(5); and the Fourteenth Amendment of the United States Constitution.

On April 24, 2001, Petitioner filed a "Joint Petition for Certification to the Supreme Court" on behalf of the lead case A.C. 21419/Docket No.CV00-0338520- S; DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank Docket No.CV00-0338142-S; Eugene Grant v. The Alliance Foundation, Inc., CV00-0341050S; Eugene Grant v. Alliance Capital, Inc., CV00-0341049S; And Eugene Grant v. Alliance Capital, Inc., CV00-0341048; Legal basis: C.G.S. Sections 52-263;52-265a; P.B. Sections 84-2 (3)(4)(5); and the Fourteenth Amendment of the United States Constitution.

On April 24, 2001, the Connecticut Supreme Court issued an Order to the Petitioner with regard to the extension of time for the

bank case: DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank, Docket No. CV00-0338142-S as follows: "The Motion Of Yvonne Liebel, Filed April 24, 2001, "To Extend Time To File Joint Petition For Certification To The Supreme Court with The Alliance Foundation, Inc. And Yvonne Liebel v. Eugene Grant et al., Appellate No. A.C. 21419/Docket No.CV00-0338520S and Eugene Grant v. The Alliance Foundation, Inc., CV00-0341050S; Eugene Grant v. Alliance Capital, Inc., CV00-0341049S; And Eugene Grant v. Alliance Capital, Inc., CV00-0341048, Pursuant to CGS Section52-265a," Is Hereby Ordered Granted To The Extent That An Extension To April 25, 2001, Is Granted To File a Petition To The Chief Justice Pursuant To General Statutes Section 52-265a From The Trial Court Action Transferring The Case To The Complex Litigation Docket **(Petitioner Comment: the Court never transferred this case to Complex Litigation Docket).** This Action Does Not Authorize The Movant To Join Any Petition Filed Pursuant To General Statutes Section 52-265a With A Petition For Certification In A.C. 21419 Filed Pursuant To General Statutes Section 51-197f." To the extent that the motion appears also to seek an extension of time to file petition pursuant to G.S. Section 52-265a in CV00-0341050, CV00-0341049 and CV00-0341048, the motion is denied." (App. A1)

On April 24, 2001, the Supreme Court also issued an Order to the Petitioner with regard to the extension of time for the Grant cases: Eugene Grant v. The Alliance Foundation, Inc. and Eugene Grant v. Alliance Capital, Inc., No.'s CV00-0341048/49/50S, as follows: " The Motion of Yvonne Liebel, filed April 24, 2001, "To Extend Time To File Joint Petition for Certification to the Supreme Court with The Alliance Foundation, Inc. and Yvonne Liebel v. Eugene Grant et al., appellate No. A. C. 21419/Docket No. CV00-0338520S, and DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank, Docket No. CV00-0338142S, pursuant to General Statutes Section 52-265a," is hereby ordered denied." **(Petitioner Comment: The Court never explained why the Grant cases were denied a extension of time for a joint appeal pursuant to C.G.S Section 52-265a).** (App.A2)

On April 27, 2001, the Connecticut Supreme Court issued an Order to the Petitioner in connection with the Joint Petition for Certification to the Supreme Court on the cases of: The Alliance Foundation, Inc. and Yvonne Liebel v. Eugene Grant et al. case No. A.C. 21419/ Docket CV00-0338520S and DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank, case No. CV00-0338142S as follows: " The Chief Justice today denied your "Joint Petition for Certification to the Supreme Court" filed pursuant to General Statutes Sections 52-263, 52-265a and Practice Book Section 84-2(4)." (App. A3).

On May 7, 2001, the Connecticut Supreme Court issued the Petitioner a correction of the above order as follows: "On April 27, I wrote that the Chief Justice denied your "Joint Petition for Certification to the Supreme Court" filed pursuant to General Statutes Sections 52-263, 52-265a and Practice Book Sections 84-2(4). The letter should have read and is now corrected to read; "The Chief Justice today (April 27) denied your 'Joint Petition for Certification to the Supreme Court' filed pursuant to General Statutes Sections 52-263, 52-265a and Practice Book Sections 84-2 (3), (4), and (5). The petition is dismissed as to Eugene Grant v. The Alliance Foundation, Inc. (DBD CV00-0341050), Eugene Grant v. Alliance Capital, Inc. (DBD CV00- 0341049) and (DBD CV00-0341048) because the movant is not a party in those matters." **(Petitioner Comment: with regard to the Court decision to dismiss the Grant cases "...because movant is not a party in those matters", if the Court timely consolidated these matters with the lead case in January 2001 in accordance with Motions filed in December 2000 movant would have been a party in those matters.)** (App. A4).

Since the Court's intervention and the filing of pleadings on October 24, 2000 the Petitioner encountered a number of alarming incidents outside the Courts, which Petitioner had never experienced before: A break-in to the Foundation's offices in Ridgefield, and flooding of its accounting documents (App. D23, page 54a); Problems with mail, telephone and security systems;

Problems with the renewal of insurance policies managed by local agents; Manipulation of loan documents and appraisals by her lender, Washington Mutual Bank's local agents which barred financing for this litigation and may cause the loss of her home to this lender; severe change to the water (well) and air quality at her residence due to Bromine existence that caused Petitioner upper respiratory problems, dizziness, headaches and other conditions (App. D24, page 55a). Local laboratory, Brooks Laboratory of Norwalk, withheld accurate analysis and solutions. Petitioner got so ill she had to abandon her home in midst of a harsh winter to various local hotels (at a huge expense) that would make available a computer so she could prepare Court pleadings, including the Appellate Brief filed on January 25, 2001. While at the hotels, documents and evidence were removed from her rooms and car.

On February 21, 2001, Petitioner flew to California and remained there about two and-one-half months to undergo tests, and to recover. After her return to Connecticut in early May she discovered her rental car's windshield cracked although it was parked at a security parking (Enterprise accident claim # DX2426E48); the side window of her private vehicle was smashed while she was driving on May 27, 2001 (App. D26, at 60a); in early July all outside lights suddenly went out leaving her residence in darkness (Petitioner is now staying at the cottage on the property and not in her residence) during which time a break in occurred and home was vandalized (App. D27 at 61a); in mid July 2001, Petitioner's father who was in excellent health, suddenly fell very ill for no apparent reason and was hospitalized for what was diagnosed as a stroke. His situation is now stabilized and he is back home. Petitioner is concerned for her safety, the safety of her family and the safety of the evidence. Based on facts, testimony and evidence Petitioner is holding the Ridgefield Defendants, specifically Ridgefield Bank's Board of Directors and its president responsible for these far reaching manipulations, chemical warfare and attacks designed to intimidate her into withdrawing this action with the intent to fully harm her and her family if she doesn't.

REASONS FOR GRANTING THE WRIT OF CERTIORARI

I.

THE CONNECTICUT COURT OF APPEALS HAS DECIDED AN IMPORTANT FEDERAL QUESTION IN A WAY THAT CONFLICTS WITH CIVIL LITIGANT'S RIGHTS TO DUE PROCESS AND TO EQUAL PROTCETION OF THE LAWS

The United States Supreme Court has held that the Due Process Clause protects individuals against two types of government action: "Substantive Due Process" protects individuals against government conduct that "shocks the conscience" (*Rochin v. California*, 342 U.S. 165,172, 72 s.Ct. 205, 96 L.Ed 183 (1952), or interferes with rights implicit in the concept of ordered liberty (*Palco v. Connecticut* 302 U.S. 319, 325-26, 58 s.Ct.149, 82 L.Ed 288 (1937)). When government action deprives the person of life, liberty, or property and it does not violate substantive Due Process, it must still be implemented in a fair manner (*Mathews v. Eldridge*, 424 U.S. 319, 335,96 s.Ct. 893, 47 L.Ed.2d 18 (1976)). This requirement has traditionally been referred to as "Procedural Due Process." (*United States v. Salerno*, 482 U.S. 739, 746, 107 S.Ct. 2095, 95 L.Ed.2d 697 (1987)).

For more than a century, the central meaning of procedural Due Process has been clear: "parties' rights are to be effected or entitled to be heard; and in order that they may enjoy that right they must first be notified." (*Baldwin v. Hale, 1 Walo.*223,233,17 L.Ed. 531; *Wenzor v. McVeigh*, 93 U.S. 274, 23 L.Ed. 914; *Hovey v. Elliot*, 167 U.S. 409, 17 S.Ct. 841, 42 L.Ed. 215). It is equally fundamental that the right to notice and an opportunity to be heard "must be granted at a meaningful time and in a meaningful manner." (*Armstrong v. Manzo*, 380 U.S. 545, 552,85 S.Ct. 1187, 1191, 14 L.Ed.2d 62).

As to exactly the extent to which Due Process requires an evidentiary hearing prior to the deprivation of some type of property interest, The Supreme Court of The United States has implied that the "due process, unlike some legal rule, is not a technical conception with a fixed content unrelated to time, place, and circumstance," (*Cafeteria Workers v. McElroy*, 367 U.S. 886,895,89 S.Ct. 1743,1748,6 L.Ed.2d 1230 (1961)), but is, indeed, more flexible. " Due process is flexible and calls for such procedural protections as the particular situation demands." *(Morrissey v. Brewer*, 408 U.S. 471,481, 92 S.Ct. 2593,2600,33 L.Ed.2d 484 (1972)).

Accordingly, resolution of the issue whether the Interlocutory Order transferring this matter from one venue to another, in the interest of managerial judging, without a notice or a hearing in the originating court, against compelling objections, and although a trial judge in the originating court committed to supervise the case to trial, requires analysis of the governmental and private interests that are affected (*Arnett v. Kennedy*, 416 U.S. 134, 166, 94 S. Ct. 1633, 1650, 40 L.Ed.15 (1974)).

More precisely, prior decisions of The Supreme Court of The United States indicate that identification of the specific dictates of Due Process generally requires consideration of three distinct factors: first, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used and the probable value, if any, of additional of substitute procedural safeguard; and, finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail. (*Goldberg v. Kelly*, 397U.S. 263-271, 90 S.Ct. 1011,1018-1022).

In an effort to more efficiently manage the increased burgeoning complex litigation, the State of Connecticut recently implemented the so-called Complex Civil Litigation Docket, which

is governed by Superior Court Rules-Civil Matters Rules 23-13,23-14, and 23-15 (See "Statutory Provisions Involved" page 1.) Public Act 99-215, Section 27, subsection (a) provides for a transfer of an action to the complex litigation docket. But as some have already observed, managerial judging in complex litigation courts wielding such controlled judicial discretion that is, by and large, not appealable, raises questions about Due Process:

"... Critics of the new model of managerial judging initially point to the due process concerns as an area of controversy. They cite the problem of uncontrolled judicial discretion, realizing that most decisions made at the pretrial stage of litigation are not appealable." (FN17) (*Elliot, supra* note 2, at 314.) "Judicial *96 management decisions made during pretrial stages can have important and far-reaching consequences as the opportunities for appellate review of those rulings are extremely limited." *95; "...the right of individual access to the court must be protected." *93 (Managerial Judging, A principled Approach To Complex Cases In State Court, by Barry R. Schaller, 68 Conn. B.J. 77, April, 1994;

"Frankly...they ought to do away with it. But- - but since they haven't done away with it, at least they stopped arguing the things in short calendar. " (Hon. Judge Taggart Adams about the Connecticut Complex Litigation Docket, as stated at the Danbury Superior Court, Danbury, Connecticut on October 16, 2000, Status Conference hearing, Transcript, Page 47 Lines 9-11.)

"As managers, judges learn more about cases much earlier than they did in the past. They negotiate with parties about the course, timing and scope of both pretrial and posttrial litigation. These managerial responsibilities give judges greater power. Yet the restraints that formerly circumscribed judicial authority are conspicuously absent. Managerial judges frequently work beyond the public view, off the record, with no obligation to provide written, reasoned opinions, and out of reach of appellate review.

It gives trial courts more authority and at the same time provides litigants with fewer procedural safeguards to protect them from abuse of that authority. In short, managerial judging may be redefining sub silento our standards of what constitutes rational, fair, and impartial adjudication." *378 "Although judges can and should exercise substantial authority over court procedures, the framers of the constitution foresaw the need for Congress to play a role in structuring the problems that implicate the rights of all citizens, *445 are simply too important to be left to the discretion of judges alone." *443 "The effective power of judges is considerably greater at the pretrial stage than in postdecision enforcement. During pretrial supervision, judges make many decisions informally and often meet with parties ex parte, and appellate review is virtually unavailable. The judge has vast influence over the course and eventual outcome of the litigation. As a result, litigants have good reason to capitulate to judicial pressure rather than risk the hostility of a judge who, under the individual calendar system, has ongoing responsibility for the case. During pretrial management, judges are restrained only by personal beliefs about the proper role of judge-managers. In contrast to posttrial supervision, because pretrial management is judge initiated, invisible, and unreviewable, it breaks sharply from American norms of adjudication." *412 (Managerial Judges, by Professor Judith Resnik, 96 Harv. L. Rev. 374 *378 (1982));

"... Some of these procedural reforms appear to be advocated and propagated by those whose interests are to be served by a decline in adjudicatory procedure. For example, many defendants (and their attorneys) in products liability and antitrust cases have championed the curtailment of discovery and now seem intrigued by ADR as means of protecting themselves from negative publicity and from outcomes they have disliked." (FN213) *537 "Because I still have faith that procedure has dignitary functions, (FN234) and because I lack utter faith in the unbounded and disinterested wisdom of government and of powerful lawyers and litigants, I am unwilling to turn over the task of procedural modeling to those who

evidence blind faith in alternatives to adjudication or who evidence no faith at all." (Failing Faith: Adjudicatory Procedure in Decline, by professor Judith Resnick, 53 U. CHICAGO L. REV. 494 * 544 (1986));

Unfortunately, Judge Langenbach's Interlocutory order transferring this matter in the manner that he did was an unjustified or mistaken deprivation of Petitioners' life, liberty, or property and, therefore, a violation of the Petitioner's Due Process rights (*Carey v. Piphus*, 435 U.S. 247,259, 98 S.Ct. 1042, 55 L.Ed.2d 252 (1978)). Further, as a result of the transfer to the Complex Litigation Docket where the Petitioner could not get a fair hearing and which lead to subsequent appeals, proceedings in the case have been so severely interrupted that the action has improperly come to a dead stop. This put Managerial Judging and Due Process on a collision course that had an adverse effect on the Plaintiffs and their ability to litigate this matter, to the benefit of the Defendants, in a litigation that was already grossly mismatched.

"Discretion accorded to the trial court on questions of law is legal discretion, to be exercised in conformity with the spirit of the law and in a manner to subserve and not to impede or defeat the ends of substantial justice." *Halloran v. Town of North Canaan*, 32 Conn. App. 611, 630 A2d 699 (1984). The Court's ruling in this matter is contrary to the spirit of the law and the ends of substantial justice.

In *Doe v. Yale University*, 2000 WL 1683401, Conn. Super., 2000 (October 13, 2000), Judge Sheldon ruled on facts similar to Petitioners', that the matter should not have been transferred to the Complex Litigation Docket. In *Doe v. Yale University*, the Plaintiff objected to the Defendant's application to transfer to the Complex Litigation Docket citing that the case was not complex for the court to resolve before or during trial and that plaintiff's ability to attend the trial on a daily basis would be severely compromised by moving the trial far away from its original venue. In addition, plaintiff cited her HIV infection as a factor and in the long geographical distance

between her home and the Complex Litigation court. Similarly to the Plaintiff in *Doe v. Yale University,* the Petitioner argued that the transfer would cause extraordinary physical and financial hardships; that although the case had multiple parties the matter was not too complex for the Court; that Petitioner was *In Pro Se* and her ability to both manage and attend Court appearances would be severely compromised; that Petitioner's "part time" attorney suffered from Multiple Sclerosis and would be unable to both drive to hearings in Stamford and service her clients in Ridgefield; and that all of the Plaintiffs and two of the defendants were local residents.

In *Doe v. Yale University* Judge Sheldon returned the case from the Complex Litigation Docket to its original venue reasoning that the case was not particularly complex, that the matter would be assigned to a single judge to manage through to trial in the original venue, and most importantly, as Judge Sheldon stated, "...the central purpose of the Complex Litigation Docket is to assist the Civil Division as a whole to handle it's case load fairly and efficiently. ...when transfer of a case to the Complex Litigation Docket will afford no special benefit either to the litigants in that case or to other civil litigants in the courthouse from which it comes, the better course is to return the case to its original court of origin..." Indeed, the Danbury judge, Judge Adams, expressed a willingness to have the matter assigned exclusively to him in order to satisfy defense counsel's only concern that a single judge manage the matter through to trial. "...having a single judge handle the case would serve valuable judicial resources that would otherwise be expended if several judges had to become acquainted and reacquainted with the facts and procedural status of the case."

"...to insure fairness and due process to all parties, full opportunity must be given to attorneys and pro se litigants to be heard prior to the rendition of each case management order." *93 "The rules should define complex cases, provide a general operating format for managerial judges and should authorize other specific

measures that may be necessary in individual cases ... provided that no single factor or set of factors shall be controlling, in recognition that individual cases may have unique features." *88 "On Fairness and Due Process – in addition to the problems (with managerial judging) noted above, all of which implicate fairness and due process concerns, additional problems include... accommodating the special needs of pro se parties..." *87; (Excerpts from Managerial Judging, A Principled Approach To Complex Cases In State Court, by Barry R. Schaller, 68 Conn. B.J. 77 April, 1994):

Based on *Doe v. Yale University*, supra, Administrative Judge, Hon. Judge Langenbach and the Complex Litigation Docket Judge, Hon. Judge Tierney should have considered the Petitioner's frail physical, financial and logistic abilities to litigate the case long distance and the willingness of a single judge in the originating court to oversee the case, and should have kept the matter with Judge Adams in the Danbury Superior Court.

Although a hearing on the Petitioner's objections was subsequently afforded to her, unfortunately by this time the matter had already been transferred to Judge Tierney at the distant Complex Litigation Docket in Stamford. At the hearing on November 15, 2000, Judge Tierney gave little or no consideration to the hardships the Petitioner and her counsel, Joyce Morin, would have to endure resulting from the transfer to his Court nor to her plea that the transfer was unnecessary as the matter was not complex, but merely involved multiple defendants. Instead, the hearing became a demonstration of the extreme latitude the Complex Litigation Docket was afforded in case supervision, departing from the traditional adjudication standards without providing the Petitioner a "road map" as to what infrastructure of rules and policies she was subjected to at that Court. Further, Judge Tierney turned a deaf ear and denied this pro se litigant's special need for zealous counsel to guide her through the process in spite of her repeated cries for help. Judge Tierney abused his discretion and violated Petitioner's due process rights by depriving her of the

safety net of the Connecticut Rules and Procedures afforded to all civil litigants in other State Courts; denying her right to counsel; and further humiliating her by overruling her numerous objections from the bench without a written memorandum or even a verbal explanation for his ruling. "We should require judges to act in public and to state reasons for their decisions." *429 "Proponents of management may be forgetting the quintessential judicial obligations of conducting a reasoned inquiry, articulating the reasons for decision, and subjecting those reasons to appellate review- characteristics that have long defined judging and distinguished it from other tasks. (FN219) Although the sword remains in place, the blindfold and scales have all but disappeared."(Managerial Judges, by professor Judith Resnick, 96 HARV. L. REV. 374.* 429 (1982));

As stated above, the due process clause of the Fourteenth Amendment requires that, where government action deprives a person of life, liberty, or property, government action must be implemented in a fair manner and that government action must be meaningful. (*Matthews v. Eldridge*, 424 U.S. 319, 335, 96 S.Ct. 893, 47 L.Ed.2d 18 (1976)), (*Armstrong v. Manzo*, 380 U.S. 545,552,85 S.Ct. 1187,1191, 14 L.Ed.2d 62). Thus, Judge Tierney's bowing to Defendants' litigation tactics (Defense attorneys are located in Stamford, Connecticut) in a "staged" hearing during which the Petitioners' due process rights were diluted was not "meaningful" and his interlocutory order overruling Petitioner's objections to the transfer of the case in that manner violated that requirement.

In the State of Connecticut, the case of *State v. Curcio* (1983) 191 Conn. 27, 463 A.2d 566, holds that an interlocutory order may be reviewed on appeal as a final judgment. The *Curcio* case when seen in tandem with the issues of due process raised by the Appellants including the Courts failure to rule on properly filed motions; their failure to cite in indispensable party defendants; their deviation from state adjudication standards in the interests of streamlining litigation in a Managerial Judging approach, a substantial public

interest is lost and therefore the *Curcio* case supports Appellate Court jurisdiction. That is to say that, when the trial court violated appellants' various due process rights that should have been afforded to them at all times, and The Complex Litigation Docket allowed for neither a fair nor meaningful hearing on the transfer of their case, then appellants rights were "concluded."

In *Curcio,* there are two prongs by which "finality" can be achieved and an appellate jurisdiction activated. For purposes of this Petition, the second prong, or test for finality, which focuses on the potential harm to the appellant's rights, will be discussed. Interlocutory order will be deemed final for purposes of appeal only if it involves a claimed right "the legal and practical value of which would be destroyed if not vindicated before trial." (*Curcio* at 33-34, 463 A.2d 566). The second prong of *Curcio,* then, requires appellant that the trial court's orders threatened the preservation of a right or rights already secured to them in that the right or rights will be irretrievably lost and plaintiff irreparably harmed unless they take an immediate appeal. (*State v. Garcia,* 1995, 233 Conn. 44, 62-65, 658 A.2d 947) Appellant must only make a "colorable claim that some recognized statutory or constitutional right is at risk." (*United States v. Ellis,* 646 F2d 132, 134 (4th Cir. 1981); *State v. Seravalli* (1983) 189 Conn. 201, 455 A.2d 852).

Once Petitioner's case was transferred from Danbury, without a hearing, to Stamford, where the hearing on objections and other matters was neither fair nor meaningful, the finality test as described in *Curcio* was met because Petitioners' were forever barred from pursuing the case in the Danbury Superior Court subject to State adjudication standards, and could not get a fair hearing in the Stamford Court, afforded extreme and undefined latitude over and above those standards. Thus, petitioner make a very colorable claim that Judges Langenbach and Tierney's Orders have destroyed her right to litigate this case in the Danbury Superior Court; a right that was irretrievably lost, thereby

irreparably harming Petitioner once her due process rights were violated by Judge Tierney's Complex Litigation Docket.

Therefore, the Court of Appeals of the State of Connecticut should have denied the Defendants' Motion to Dismiss Appeal based on their argument that appeal was interlocutory and should have allowed a review of each of the issues presented in the Appellants' Brief. The Court should have recognized that an interlocutory order becomes "final" and thus subject to an appeal and to the Court's jurisdiction where individual litigants' due process rights are violated by that order.

Further, the Fifth Amendment of the United States Constitution insures criminals' right to counsel leaving out civil litigants' rights to counsel. In this civil litigation, the Petitioner/Plaintiff is denied this right. The Petitioner presented this issue at the October 16, 2000 Status Conference at the Danbury Superior Court before Hon. Judge Taggart Adams, and then again at the November 15, 2000 hearing, at the Complex Litigation Docket in Stamford, Connecticut. These honorable judges should have appropriately insured this pro se litigant's right to counsel because without zealous counsel a civil litigant will be denied due process in any court, whether in the Danbury Superior Court or in the Complex Litigation Docket in Stamford, Connecticut.

II

THE DUE PROCESS ISSUES RAISED ARE IMPORTANT FEDERAL QUESTIONS THAT HAVE NOT BEEN, BUT SHOULD BE, SETTLED BY THIS COURT

In addition to resolving the issue that an interlocutory order becomes "final" and thus appealable where an individual litigant's due process rights are violated by that order, and that due process

indeed supercede court's administrative considerations, this conflict is important because its resolution will determine:

I. That in order to insure that due process is not compromised in cases being considered for a transfer to Complex Litigation Courts certain safeguards must be implemented by the state prior to the rendition of each management order. Further, Complex Litigation Courts that deviate from their state's adjudication standards must follow an adopted body of rules and procedures that is well - publicized and accessible to all litigants.

"During the past decade, enthusiasm for the managerial movement has become widespread; (FN19) what began as an experiment is likely soon to become obligatory. Unless the Supreme Court and Congress reject proposed amendments to the Federal Rules, (FN20) pretrial judicial management will be required in virtually all cases." (Managerial Judges, by professor Judith Resnick, 96 HARV. L. REV. 374 * 378 (1982));

As of 1994 only three states in the United States have adopted such comprehensive measures: "Aside from Vermont, California and Delaware, no other states have adopted comprehensive bodies of rules which provide adequate guidance for judges, litigants and lawyers with respect to the judicial management of complex litigation. (FN14) It is essential that state court judges be guided by established rules and procedures which enable them to preserve the due process rights of litigants while they efficiently manage complex cases. (Managerial Judging, A Principled Approach To Complex Cases In State Court, by Barry R. Schaller, 68 Conn. B.J. 77 *80, April, 1994);

Such safeguards will minimize the risks associated with pretrial managerial judging at Complex Litigation Courts, such as: excessive judicial power; threats of impartiality; limited access to the court; lack of appellate review; violations of due process; and the

significant impact managing judge's individual belief system and integrity has on a given case.

II. In order to insure fairness and due process to all litigants, the Constitution of the United States of America must protect all its citizens' right to counsel not only its criminals. The vulnerabilities of civil litigants vary from case to case and those vulnerabilities should be identified, categorized and accommodated, accordingly. Without this constitutional protection, the rights of all civil litigants hang in the balance.

III.

CONCLUSION

An interlocutory order becomes "final" and thus appealable where an individual litigant's due process rights are violated by that order. Upon application, a matter should not be simply transferred to a managerial judge without a hearing in the court where the application was made. Also, litigant's objections to the transfer of a case to a managerial judge and docket should be given fair and meaningful consideration, not *ad hoc* and summary dismissal.

To insure that litigants' due process rights are not compromised in cases being considered for a transfer to Complex Litigation Courts, certain safeguards must be implemented by the state prior to the rendition of each management order and pretrial judicial management in Complex Litigation Courts must follow an adopted body of rules and procedures that is well -publicized and accessible to all litigants.

A civil litigant who is denied counsel is denied due process rights and the equal protection of the laws. The Constitution of the Unites States and the judicial system must protect its civil litigants' right to counsel not only its criminals' right to counsel.

Respectfully Submitted,

/S/_____

Yvonne Liebel, Pro Se
106 Great Hill Road
Ridgefield, Connecticut 06877

APPENDIX A

NO. A.C.21419
ALLIANCE FOUNDATION, INC.
ET AL.
: APPELLATE COURT
V.
: STATE OF CONNECTICUT
EUGENE GRANT ET AL.
: MARCH 21,2001

ORDER

THE MOTION OF THE DEFENDANT-APPELLEE, FILED JANUARY 10, 2001,
TO DISMISS APPEAL
HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY ORDERED GRANTED.

BY THE COURT,

*SCHALLER, J. IS RECUSED.

/S/_____
ASSISTANT CLERK-APPELLATE
Susan C. Reeve

NOTICE SENT: MARCH 22, 2001
Joyce A. Morin /Yvonne Liebel, pro se
Robinson & Cole, LLP
Rucci, Burnham, Carta & edelberg, LLC
Curtis, Mallet-Prevost, Colt & Mosle, LLP
Halloran & Sage, LLP
Hon. Kevin Tierney
Clerk, Superior Court, Danbury
CV00 0338520S
PAC

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635/002689

APPENDIX A1

STATE OF CONNECTICUT
SUPREME COURT

NO. DBD CV00-0338142S
DTL-USA, INC. ET AL.
V.
RIDGEFIELD BANK :APRIL 24, 2001

ORDER

The Motion Of Yvonne Liebel, Filed April 24, 2001, "To Extend Time To File Joint Petition For Certification To The Supreme Court with The Alliance Foundation, Inc. And Yvonne Liebel v. Eugene Grant et al., Appellate No. A.C. 21419/Docket No.CV00-0338520S and Eugene Grant v. The Alliance Foundation, Inc., CV00-0341050S; Eugene Grant v. Alliance Capital, Inc., CV00-0341049S; And Eugene Grant v. Alliance Capital, Inc., CV00-0341048, Pursuant to CGS Section52-265a," Is Hereby Ordered Granted To The Extent That An Extension To April 25, 2001, Is Granted To File a Petition To The Chief Justice Pursuant To General Statutes Section 52-265a From The Trial Court Action Transferring The Case To The Complex Litigation Docket This Action Does Not Authorize The Movant To Join Any Petition Filed Pursuant To General Statutes Section 52-265a With A Petition For Certification In A.C. 21419 Filed Pursuant To General Statutes Section 51-197f."

To the extent that the motion appears also to seek an extension of time to file petition pursuant to G.S. Section 52-265a in CV00-0341050, CV00-0341049 and CV00-0341048, the motion is denied.

SULLIVAN, CJ.,

/S/BY_____
FRANCIS J. DRUMM JR.
CHIEF CLERK

NOTICE SENT: APRIL 24, 2001
YVONNE LIEBEL
KEVIN AHERN
ROBINSON AND COLE LLP
RUCCI, BURNHAM, CARTA & EDELBERG, LLC
JOYCE A. MORIN
CURTIS MALLET-PREVOST, COLT & MOSLE, LLP
HALLORAN & SAGE, LLP
CLERK, DANBURY J.D.
HON. KEVIN TIERNEY

APPENDIX A2

STATE OF CONNECTICUT
SUPREME COURT

NO. DBD CV00-0341050S
EUGENE GRANT
V.
THE ALLIANCE FOUNDATION, INC.

NO. DBD CV00-0341049S
EUGENE GRANT
V.
ALLIANCE CAPITAL, INC.

NO. DBD CV00-0341048S
EUGENE GRANT

V.
ALLIANCE CAPITAL, INC. :APRIL 24, 2001

ORDER

The Motion of Yvonne Liebel, filed April 24, 2001, "To Extend Time To File Joint Petition for Certification to the Supreme Court with The Alliance Foundation, Inc. and Yvonne Liebel v. Eugene Grant et al., appellate No. A. C. 21419/Docket No. CV00-0338520S, and DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank, Docket No. CV00-0338142S, pursuant to General Statutes Section 52-265a," is hereby ordered denied."

SULLIVAN, CJ.,

/S/BY_____
FRANCIS J. DRUMM JR.
CHIEF CLERK

NOTICE SENT: APRIL 24, 2001
YVONNE LIEBEL
KEVIN AHERN
ROBINSON AND COLE LLP
RUCCI, BURNHAM, CARTA & EDELBERG, LLC
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HALLORAN & SAGE, LLP
CLERK, DANBURY J.D.
HON. KEVIN TIERNEY

APPENDIX A3

STATE OF CONNECTICUT

Francis J. Drumm, Jr. **SUPREME COURT** 231 capitol Avenue
Chief Clerk **APPELLATE COURT** Drawer Z. Station A
860-757-2200 Hartford, CT 06106

April 27, 2001

Ms. Yvonne Liebel
Suite 300
54 Danbury Road
Ridgefield, CT. 06877

Re: The Alliance Foundation, Inc., et al.
v. Eugene Grant et al. AC 21419 (DBD CV00-0338520)
DTL-USA, INC., et al. v. Ridgefield Bank
(DBD CV00-0338142S)

Dear Ms. Liebel:

The Chief Justice today denied your "Joint Petition for Certification to the Supreme Court" filed pursuant to General Statutes Sections 52-263, 52-265a and Practice Book Section 84-2(4)."

Very truly yours,
/s/_____
Francis J. Drumm

Cc:

Joyce A. Morin
Kevin W. Ahhern
Robinson & Cole, LLP
Rucci, Burnham, Carta & Edelberg, LLC
Curtis Mallet- Prevost, Colt &Mosle, LLP
Halloran & Sage, LLP
Clerk, Danbury Judicial District
Hon. Kevin Tierney

APPENDIX A4

STATE OF CONNECTICUT

Francis J. Drumm, Jr. **SUPREME COURT** 231 capitol Avenue
Chief Clerk **APPELLATE COURT** Drawer Z. Station A
860-757-2200 Hartford, CT 06106

May 7, 2001

Ms. Yvonne Liebel
Suite 300
54 Danbury Road
Ridgefield, CT. 06877

Re: The Alliance Foundation, Inc., et al.
v. Eugene Grant et al. AC 21419 (DBD CV00-0338520)
DTL-USA, INC., et al. v. Ridgefield Bank
(DBD CV00-0338142S)

Dear Ms. Liebel:

On April 27, I wrote that the Chief Justice denied your "Joint Petition for Certification to the Supreme Court" filed pursuant to General Statutes Sections 52-263, 52-265a and Practice Book Sections 84-2(4).

The letter should have read and is now corrected to read; "The Chief Justice today (April 27) denied your 'Joint Petition for Certification to the Supreme Court' filed pursuant to General Statutes Sections 52-263, 52-265a and Practice Book Sections 84-2 (3), (4), and (5). The petition is dismissed as to Eugene Grant v. The Alliance Foundation, Inc. (DBD CV00-0341050), Eugene Grant v. Alliance Capital, Inc. (DBD CV00- 0341049) and (DBD CV00-0341048) because the movant is not a party in those matters."

Very truly yours,
/s/_____
Francis J. Drumm

Cc:
Joyce A. Morin
Kevin W. Ahhern
Robinson & Cole, LLP
Rucci, Burnham, Carta & Edelberg, LLC
Curtis Mallet- Prevost, Colt &Mosle, LLP
Halloran & Sage, LLP
Clerk, Danbury Judicial District
Hon. Kevin Tierney

APPENDIX A5

APPELLATE COURT
Of The
STATE OF CONNECTICUT

A. C. 21419
THE ALLIANCE FOUNDATION, INC. ET AL
Plaintiffs
V.
EUGENE GRANT, ET AL
Defendants

Appeal from Superior Court

BRIEF OF PLAINTIFFS/APPELLANTS (WITH SEPARATE APPENDIX Vol. I, Vol. II and Vol. III)

JOYCE A. MORIN
Attorney for the Plaintiffs

YVONNE LIEBEL
PRO SE
54 Danbury Road, Suite 300
Ridgefield, CT 06877
Tel. (203) 431-8655
Fax: (203) 438-0040

JANUARY 25, 2001

To Be Argued By:
YVONNE LIEBEL
Legal Research By:
KEVIN W. AHERN, ESQ.

STATEMENT OF THE ISSUES

page

The Court through its conduct violated the Plaintiffs' right to due process of law as guaranteed under the Fourteenth Amendment of the Constitution of the United States of America as follows:

I. Whether the trial court (Langenbach, J.) erred/or Abused its discretion in granting the Defendant's application for case referral-complex litigation docket (CLD) to Stamford, Connecticut.....

II. Whether the trial court (Tierney, J.) erred and/or Abused its discretion in overruling the Plaintiffs' objection to the Defendant's application to transfer the case to the complex litigation docket in Stamford, Connecticut.....8

III. Whether the trial court erred and/or abused its Discretion when it failed to act on the Plaintiffs' motion for joinder of additional plaintiffs on five (5) separate occasions.....9

IV. Whether the trial court (Adams, J.) erred and/or abused It's discretion when it ordered the Plaintiffs to file a final complaint within 7 days, to include all potential new Plaintiffs and Defendants, while the case was still unfolding and while knowing that the Plaintiffs had just lost their in-house counsel and further denying a motion for continuance.....11

V. Whether the trial court erred and/or abused its discretion when it failed to act on the Plaintiffs' motion for joinder of additional Plaintiffs on five (5) separate occasions, causing the proposed additional Plaintiff to become Defendant in new law suits filed on November 20, 2000 by one of the Defendants.....13

VI. Whether the trial court erred and/or abused its

discretion when it failed to act on the Plaintiffs' motion for joinder of additional plaintiffs on five (5) occasions, causing the Plaintiffs inability to move to consolidate with the DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank retroactive to 9/18/2000.....15

VII. Whether the trial court (Adams, J. and Hiller, J.) erred And/or abused its discretion when it failed to act on the motion to consolidate on October 24, 2000, retroactive to September 18, 2000.....17

VIII. Whether the trial court erred and/or abused its discretion when it denied the Plaintiffs' motion to cite in PricewaterhouseCoopers, LLP and Reynolds and Rowella, LLP., As new party defendants.....19

Appendix B – Status Conference Transcript Excerpts 10/16/01
(Hon. Taggart Adams, Judge)

APPENDIX B

DOCKET NO: CV00-0338520S
THE ALLIANCE FOUNDATION, INC.
ET AL : SUPERIOR COURT OF
: CONNECTICUT
-VS- :JUDICIAL DISTRICT
:OF DANBURY
EUGENE GRANT, ET AL. :OCTOBER 16, 2000

BEFORE:

THE HONORABLE TAGGART D. ADAMS, JUDGE

APPEARANCE:

JOYCE MORIN, ESQ.
559 RT 6
P.O. Box 110
Mahopac, NY 10541
Attorney for Plaintiffs

ARTHUR K. ENGLE, ESQ.
Robinson & Cole LLP
695 E. Main Street
P.O.Box 10305, Stamford, CT 06804
Attorney for Eugene Grant

TRANSCRIPT OF STATUS CONFERENCE
HELD ON OCTOBER 16, 2000
Patricia Hubertus, Court Monitor

* * *

Page 21, lines 25-27

MR.ENGLE: Your honor, I have one question which is that, if this case is not transferred to the complex litigation docket, am I correct that you would not be overseeing this case in it's entirety?

Page 22 lines 1- 24

THE COURT: No, you're not
MR. ENGLE: You would be overseeing this case in it's entirety?
THE COURT: I'm going to find out if I can.
MR. ENGLE: Because that's...
THE COURT: I may go home and shoot myself.
MR. ENGLE :Because..
THE COURT: But that's one of the things I'm thinking about
MR. ENGLE: Because one of the reasons that we are applying for- - for transfer is that we want one judge- -
THE COURT: Right (Petitioner comment: here Judge Adams said: "I'm one Judge" this is an error in the transcript)
MR. ENGLE: (continuing)- - who will be able to oversee the entire process- -
THE COURT: Right.
MR.ENGLE : (continuing)- - and be able to- - not sort of pass the buck.
THE COURT: Right.
MR. ENGLE: So that's one- -
THE COURT: Well, if I have anything to do with it, the buck is not going to get passed. You may not like that.

APPENDIX B1

Page 36, lines 11-14

THE COURT: No. I said I'd do it in forty eight hours.
MR.FOGERTY: (attorney for the Defendant: Ridgefield Bank): All right. So you do that- -
THE COURT: October 26th.

APPENDIX B2

THE COURT: All right. Well, Ms. Liebel, I'm going to ask you one question very quickly. And that is, if you are so unfamiliar with the legal process and the judicial system, I guess my question is, why are - - you proceeding pro se?

MS. LIEBEL: Well, initially in 19- - in May 1997 I tried to go the conventional way. I went to various attorneys and tried to explain to them. But Your Honor, it may sound very impossible to you because you are in the system, but for me I found it totally impossible in this particular case to get counsel.

People just - - either this is not popular to people or it's just that they don't want to go against a very large law firm or bank because it presents business or presents difficulties. Most of the people I went to were self practitioners thought that it would be difficult for them to take this on. And big law firms do not like to go against other big law firms. And I'm not trying to put anyone down, and I have certainly a great respect for the justice system in this country because I am a foreigner, and I have seen other systems.

So all I'm saying, this is the experience of one woman, and it has been tough uphill battle. And I'm looking for the Court in some way to provide us some guidance where - - where the Court finds it necessary.

THE COURT: All right. Thank you.

Appendix C – Complex Litigation Docket Transcript Excerpts 11/15/01 (Hon. Kevin Tierney, Judge)

APPENDIX C

SUPERIOR COURT
JUDICIAL DISTRICT OF NORWALK STAMFORD
AT STAMFORD
STATE OF CONNECTICUT

----------X

THE ALLIANCE FOUNDATION, INC. ET AL,

Plaintiffs, Case No. CV00-0033852S
Date: November 15, 2000

Vs.

EUGENE GRANT, ET AL,
Defendants.

----------X

BEFORE THE HONORABLE KEVIN TIERNEY, JUDGE

A P P E A R A N C E S:

YVONNE LIEBEL, PLAINTIFF PRO SE
JOYCE MORAN, ESQUIRE, Attorney for the Plaintiffs
JOSEPH CLASEN, ESQUIRE, Attorney for Defendant Grant
MICHAEL HOENIG, ESQUIRE (error: Mark Hoenig is Defendant)
DAVID STONE, ESQUIRE (error: David Stone is a Defendant)
Attorney for Weil, Gotshal & Manges
Error: the Attorney for above Defendants is Michael Stanton Esq.

BRIAN WILLE, ESQUIRE
KAREN LINDER, ESQUIRE, Attorneys for Nagro and Solomon
STEPHEN FOGERTY, ESQUIRE, Attorney for Ridgefield Bank

Susan Wandzilak, Registered Professional Reporter

APPENDIX C2

Page 59, Lines 14-20

THE COURT: The Practice Book has been decimated by the rule that we have. And, there are numerous areas in which the practice book is not applicable. Please read the practice book and read it with the rule that you have to see which portions have been eliminated for complex litigation.

Page 20, lines 14-25

THE COURT: I have computer access. I am one of seven judges in the State that has that because the complex judges do. Ms. Rush has access for the purpose of making corrections and we make corrections in the computers on a regular basis in the event that the documents that we actually review do not reflect exactly what the computer says.

Page 78 , lines 15-20

MS. LIEBEL: And I really frankly don't know all the rules and regulations. And if this court at some point can provide me with some advice...that would be enormous help to me.

Page 79, lines 11-14, 15-27, Page 80, lines 1-4

THE COURT: There is no such assistance capable of being given to you by the judicial branch of the State of Connecticut.

MS. LIEBEL: Yes, I understand. I would be willing to pay for someone to just guide me through the procedures, the rules and procedures or if the Court can appoint someone. I am actually against a very severe problem.

THE COURT: You cannot make a request of this Court for an advisory opinion.

APPENDIX C3

---

page 102, lines 6-18

THE COURT: In the main, I usually do not revisit the decisions that have already been made by other Superior Court Judges before the case was assigned to complex but I have the ability to do so. And the purpose of that is so that I can have consistent rulings. An example of an area in which I would not accept an order of the court, a request to revise, you must delete this phrase, I have now two conflicting decisions of two Superior Court judges in the same file. I am accepting none of those. I am going to void them both and I make my decision as to what the requests to revise contain. I will do that. (In Judge Adams' Status Conference on October 16, 2000 with regard to the request to revise issue: " Now, some of the requests to revise have already been ruled on by Judge Radcliff. All right. I'm not going back over any of that." Page 27, lines 10-12.)

APPENDIX C4

Page 64, Lines 12-23 C4

THE COURT: But Ms. Rush's chambers are here. My chambers are here. We have a locked door. You already understand that the locked door is difficult to get through. It accesses a public filing facility, Ms. Rush's office, two public courtrooms, the courtroom next door and my Courtroom, and a public restroom. No other locked door in the judicial branch seals off public access areas but it is locked because I am behind it. So, if I am the only one here and somebody is knocking at the door, I have to go to the door to open it up to find out whether it's safe.

APPENDIX C5

Page 35, lines 25-27, Page 36, lines

MS LIEBEL: After contacting over 30 attorneys, some of them are sole practitioners, some of them work for large firms, I tried to secure appropriate litigation counsel for myself and the plaintiff corporations of which I am their president. But, to this date, I have been denied fair and just representation. The two most common problems, Your honor, that I have encountered in this saga of mine were that either attorneys did not take the case, or worse, that they took the case but either withheld information or provided me with incorrect information under the guise of a legal opinion.

In the process, said attorneys squandered my limited funds and valuable time and became an absolute barrier to justice. Therefore, in addition to the significant imbalance of power between us, the plaintiffs, and the defendants in this case, the rights, my

rights, as a citizen and as president of these corporations as well as the rights of these plaintiff corporations to fair and just representation are denied and I feel they are violating our basic rights to justice. It is not that I did not want to spend money on this litigation. Your honor, I have spent a small fortune. I am in huge debt so far. And I am just- - there is one reason that I have been encountering all the time, why this is happening is because small practitioners or large legal firms do not seem to want to go against all these power opponents on the other side of this desk.

Page 80, Lines 10-14,

THE COURT: You are asking this Court to give you some sort of legal assistance or some sort of advice is not appropriate request that you should be making at this time or any other time unless you abide by those rules.

Page 80, Lines 21-24;

THE COURT: I know of no legal authority for this Court to consider appointing an advisor as to court proceedings for you. I know of no such method of doing so and I have over 20 years in providing legal aid assistance to people and litigants in the State of Connecticut and I still know of no such procedure.

MS. LIEBEL: Perhaps there are some other rules, Your Honor, that I am not aware of or I am not requesting them properly.

Page 81, Lines 1-3;

THE COURT: there may very well be rules that I am not aware of but it is your obligation to bring it to my attention. I don't know of any myself.

Page 94, Lines 19-22

THE COURT: You are not a lawyer but you are responsible to this Court as if you were an attorney. So your responsibility is to abide by the rules, okay.

APPENDIX C6

Page 37, lines 4-12

MS. LIEBEL: So, if you will be so kind, Your Honor, as to take into consideration when you make your decisions how difficult it is for me to drive to Stamford every time I need to file a document, every time I have to come to a hearing. Joyce has to come some distance. Physically it is very hard for her to do that and we are just very- - it's very much of a hardship considering where we are in this case.

Page 46, lines 14-27

MS. LIEBEL: Yes, Your Honor. Number one, on the issue that counsel can travel to Stamford just as easily as she can travel to Danbury, certainly that can be argued. But, the fact is that I also live in the Danbury area makes it so that she can travel both to the courthouse and to me and we can do all of this within- - at the same time. She can come and discuss things with me. She can work with me. She can sign documents with me and then we are just about ten minutes away, 15 minutes away from the courthouse. It makes it much easier for us to do so. She can not physically travel long distances so she would have to travel to me and then she would have to travel separately at times to Stamford.

Page 47, lines 1-18

Also, in addition to this, her time is very limited. She can only give me one to two days a week and much of this time is given both to consultation as well as travel. And, this is why this issue has become one of logistic nature.

Now, I understand if I was a lawyer in a law firm, this shouldn't be a problem, you can always send someone else to

replace. But, you are looking at it. This is it. I am the one that is typing. I am the one that is preparing. I am the one on the phone calls to outside counsel to try to get ideas and opinions on the various issues, sometimes successfully, sometimes not. And, so, I am the one that is doing all of this. I am the one that is traveling so this would be really extremely difficult. This is on the issue of physical handicap on my part.

On the issue of a single Judge... I understand that Judge Adams is a Harvard graduate - - I would imagine there is enough of a support system for the Judge to help him deal with issues of complex nature.

Page 49, Lines 13-20

THE COURT: The matter is submitted to the court. Objection to transfer t complex litigation dated November 9, 2000, denied. Objection to complex litigation October 12, 2000, denied. Objection to complex litigation October 31, 2000, denied. In effect, these three objections being the only objections, the objections are overruled. This matter is before this Court as the complex litigation judge.

APPENDIX C7

Page 47, Lines 23-27

MS. LIEBEL: On the issue of complexity of this case...you can say that it is actually a rather simple case because this comes down to a single woman who is a president of a corporation which is

Page 48

nonprofit who chose to take on a partner that liked what she did, supported what she did so much so that he decided to take over all of those intellectual assets, whatever, whatever assets that were

established over a ten year period of hard labor, blood , sweat and tears... And he thought that he could get away with all that...the partner and several other partners just decided that they could do better or wanted it for themselves, for whatever personal reasons they had, and have taken it...under fraudulent misrepresentation.

APPENDIX C8

Page 68, Lines 20-27 and Page 69, Lines 1-3 C8

THE COURT: I have a habit of rendering decisions from the bench that are complete with citations and quotations, all right, and I use those and pull them apart and give the decision so I don't have to spend the extra time writing and redrafting. It is extra time for me to be involved in the case and you get a complete decision that I can sign the transcript. And it is the same as another decision except it is different use of vocabulary that happens when you speak as opposed to writing.

Appendix D : Other Supporting Documents

APPENDIX D

STATE OF CONNECTICUT
SUPERIOR COURT-CIVIL DIVISION

APPLICATION FOR CASE REFERRAL-
COMPLEX LITIGATION DOCKET (CLD)

10/12/2000

11. Why should this case be referred to the CLD?

INSERT FOR NUMBER 11 "....Having a single judge handle the case would save valuable judicial resources that would otherwise be expended if several judges had to become acquainted and reacquainted with the facts and procedural status of the case. Therefore, this case should be transferred to the complex litigation docket."

Name and Address of Applicant: Eugene Grant c/o Robinson & Cole LLP, 695 E. Main St. Stamford, CT 06901
Signed: Arthur R. Engle

APPENDIX D1

No. CV 00-0338520-S	
THE ALLIANCE FOUNDATION, INC.	: SUPERIOR COURT
And YVONNE LIEBEL, et al.	: JUDICIAL DISTRICT OF
Plaintiffs	: DANBURY AT
v.	: DANBURY
EUGENE GRANT, et al.	: OCTOBER 12, 2000

Defendants,

OBJECTION TO DEFENDANT EUGENE GRANT'S APPLICATION FOR CASE REFFERRAL-COMPLEX LITIGATION DOCKET (CLD)

The Plaintiffs, The Alliance Foundation, Inc, et al. hereby object to Defendant, Eugene Grant's application for case referral-complex litigation docket (CLD) for the following reasons:

a. The Plaintiff Yvonne Liebel, is representing herself pro se as well as overseeing the representation of all Plaintiffs. This includes but is not limited to the preparation and filing of the voluminous documents responding to each of the multiple Defendants' motions, requests, demands, etc. Since the Plaintiffs do not have the funds to retain a full time counsel, Plaintiff, Yvonne Liebel is doing all the day to day tasks necessary for this litigation, as well as consulting with various attorneys as issues arise. Therefore, if the Court is located at a great distance she would have to travel extensively to reach the Court. This would cause undue hardship on Yvonne Liebel from a logistical, financial and physical perspective; would prejudice her ability to seek relief from this Court; and therefore maybe detrimental to the entire case;

b. Many witnesses will be from the Ridgefield Danbury area;

c. In the interest of justice, more than one judge's opinion would be beneficial to this case;

d. Judges in the Danbury Superior Court are just as competent as any others to understand the issues of this case;

e. Joyce A. Morin, attorney of record, is an in-house counsel for the Plaintiffs, working on a part-time basis of two days a week at a minimal fee, in order to assist this charitable organization and its related entities. Joyce Morin is a sole practitioner with her office in New York State. Attorney Morin is physically disabled because of Multiple Sclerosis and is therefore unable to drive long distances. Since the Danbury Superior Court is very close to the Plaintiffs' location, Morin is able to conduct her legal responsibilities within the limited time period allocated. Changing the geographical location of the court would create undue hardship on this attorney and extensive expense to the Plaintiffs should Plaintiffs have to retain alternate counsel. Plaintiffs do not have any income to support retaining an appropriate counsel who would be willing to take this case based on the generosity of Attorney Morin's terms;

f. All Plaintiffs as well as two of the Defendants are located in the Danbury area. None of the Plaintiffs and none of the Defendants are located in the areas of the proposed complex litigation courts.

In summary, these Plaintiffs pray that this Court deny Defendant's application for case referral to the Complex Litigation Docket and that this case remain with the Superior Court located at Danbury, Connecticut, in order that justice will prevail.

Respectfully submitted by: THE ALLIANCE FOUNDATION, INC. and YVONNE LIEBEL

/S/_____

BY: Joyce A. Morin, Juris No. 309822 and Yvonne Liebel, pro se

APPENDIX D2

ALLIANCE FOUNDATION VS.
GRANT, EUGENE CV-00-0338520-S

ORDER RE: COMPLEX LITIGATION
PURSUANT TO PUBLIC ACT 99-215 SEC. 27 (A), I ORDER THIS CASE TRANSFERRED TO THE COMPLEX LITIGATION DOCKET AT STAMFORD, HAVING DETERMINED THAT SUCH TRANSFER IS REQUIRED FOR THE EFFICIENT OPERATION OF THE COURTS AND THE PROPER ADMINISTRATION OF JUSTICE. ANY PARTY OBJECTING TO THE TRANSFER SHALL FILE SUCH OBJECTION ENTITLES "OBJECTION TO THE TRANSFER TO COMPLEX LITIGATION" WITH THE COURT AT STAMFORD.,123 HOYT ST., STAMFORD, CT 06905 WITHIN 20 DAYS OF THE DATE OF THIS ORDER, WHICH SHALL BE SCHEDULED FOR ARGUMENT BEFORE THE P J OF CLD AT STAMFORD. CONTINUE TO FILE ALL PAPERS IN THE ORIGINATING COURT UNTIL RECEIPT OF TRANSFER NOTICE. JOHN J. LANGENBACH, CHIEF ADMINISTRATIVE JUDGE.

YVONNE LIEBEL
54 DANBURY RD. SUITE 300
RIDGEFIELD, CT 06877

SUPERIOR COURT
146 WHITE STREET
DANBURY, CT 06810

DATED: OCT 24, 2000
DBD

APPENDIX D3

NO.CV00-0338520S

THE ALLIANCE FOUNDATION, INC. AND YVONNE LIEBEL, ET AL. — SUPERIOR COURT

V. — JUDICIAL DISTRICT OF DANBURY

EUGENE GRANT, ET AL. — NOVEMBER 15, 2000

MEMORANDUM OF DECISION

RE: PLAINTIFFS' MOTION TO CITE IN NEW PARTY DEFENDANTS

This Motion has been referred by Judge Adams.
The court, having reviewed all documentation provided by the parties, and the law applicable thereto, finds as follows:

1. As to Bridge to Brotherhood, Inc., Ira Millstein and Marvin Jacob: testimony and evidence relevant to the Plaintiffs' allegations would necessarily involve their relationship to and interaction with present defendants as to the alleged wrongdoing. A complete determination of the issues would be assisted and the interests of justice and judicial economy be better served by the inclusion of these parties. As to these, the Plaintiffs' Motion is granted. Plaintiffs shall take all requisite steps necessary to cite and add these parties no later than December 15, 2000.

2. As to PricewaterhouseCoopers, LLP, and Reynolds and Rowella, LLP: the allegations appear, at most, separate,

distinct and not closely connected with the charges against the Defendants. Their inclusion is not necessary to a complete and accurate determination of the issues and would complicate and confuse the issues. Therefore, the request to add these parties is denied.

/s/ Hiller, J.

APPENDIX D4

ALLIANCE FOUNDATION VS.
GRANT, EUGENE CV-00-0338520-S

THE COURT (TIERNEY, J.) HAS SCHEDULED A HEARING ON THE PLAINTIFF'S OBJECTION TO COMPLEX LITIGATION FOR WEDNESDAY, NOVEMBER 15, 2000 AT 10:00 A.M. AT 229 NORTH STREET , STAMFORD, CT. IN THE EVENT THAT THE OBJECTION IS OVERRULED, COUNSEL MUST BE PREPARED TO DISCUSS THE FILE IN DETAIL WITH THE COURT AND SHOULD BRING COPIES OF THE OPERATIVE PLEADINGS AND ANY OUTSTANDING MOTIONS.

DIRECT ALL QUESTIONS TO ROSE ANN RUSH, COURT OFFICER AT (2030 324-0227 EXTENSION 334.

YVONNE LIEBEL
54 DANBURY RD. SUITE 300
RIDGEFIELD, CT 06877

SUPERIOR COURT
146 WHITE STREET
DANBURY, CT 06877

DATED: OCT 25, 2000
DBD

APPENDIX D5

CV 00 0338520
Alliance Foundation, et al. v. Grant,
Eugene, et al. : SUPERIOR COURT

CV 00 0341048
Grant, Eugene M. v. Alliance Capital, Inc. : J.D. OF DANBURY

CV 00 0341049
Grant , Eugene M. v. Alliance Capital, Inc. : AT DANBURY

CV 00 0341050
Grant, Eugene M. v. Alliance Foundation : January 8, 2001

NOTICE
REGARDING THE FOLLOWING PENDING MOTIONS:

Alliance Foundation v. Grant CV 000335820
Motion # 133.25 Plaintiff's Motion to Consolidate with
CV 00 0338142 dated October 24, 2000

Motion #141 Plaintiff's Motion to Consolidate with CV 00 0341048 dated December 4, 2000

Motion #142 Plaintiff's Motion to Consolidate with CV 00 0341049 dated December 4, 2000

Motion #143 Plaintiff's Motion to Consolidate with CV 00 0341050 dated December 4, 2000

Motion #145 Defendant Eugene Grant's Objection to Motion to Consolidate with CV 00 034 1050 dated December 15, 2000

Motion #146 Defendant Eugene Grant's Objection to Motion to Consolidate with CV 00 0341048 dated December 15, 2000

Grant, Eugene v. Alliance Capital Inc. CV 00 0341048
Motion # 102 Defendant's Motion to Consolidate with CV 00 0338520 dated December 4, 2000

Motion #103 Plaintiff's Objection to Motion to Consolidate With CV 00 0338520 dated December 15, 2000

Grant, Eugene v. Alliance Capital Inc. CV 00 0341049
Motion # 102 Defendant's Motion to Consolidate with CV 00 0338520 dated December 4, 2000

Motion #103 Plaintiff's Objection to Motion to Consolidate With CV 00 0338520 dated December 15, 2000

Grant, Eugene v. Alliance Foundation CV 00 0341050
Motion # 102 Defendant's Motion to Consolidate with CV 00 0338520 dated December 4, 2000

Motion #103 Plaintiff's Objection to Motion to Consolidate With CV 00 0338520 dated December 15, 2000

The above motions and objections have been submitted to this court. Alliance Foundation, et al. v. Eugene Grant, et al., Docket No. CV 00 0338520 has been transferred to the Complex Litigation Docket, which transfer has been appealed. The "Grant v. Alliance" Cases (Docket No. CV 00 0341048, docket No. CV 00 0341049, and Docket No. CV 00 0341050) have been proposed for transfer to the Complex Litigation Docket. Under these circumstances, the above

motions to consolidate and the respective objections will not be acted on at this time.

The Court will review the status of these motions and these cases in (30) days unless developments suggest an earlier review.

/s/ Adams, J.

APPENDIX D6

GRANT. EUGENE M. VS.
ALLIANCE CAPITAL, INC. CV-00-0341048/49/50

NOTICE OF A HEARING:

THE COURT HAS SCHEDULED A HEARING ON THE DEFENDANT'S OBJECTION TO TRANSFER TO THE COMPLEX LITIGATION DOCKET DATED JANUARY 26, 2001. THE HEARING IS SCHEDULED FOR MONDAY, MARCH 12, 2001 AT 10:00 AM, AT 229 NORTH ST., STAMFORD CT BEFORE THE HON. KEVIN TIERNEY. ATTENDANCE IS MANDATORY. IN THE EVENT THE COURT OVERRULES THE OBJECTION, COUNSEL SHOULD BE PREPARED TO DISCUSS THE FILE IN DETAIL AND SHOULD BRING COPIES OF THE PLEADINGS. DIRECT ANY QUESTIONS TO ROSE ANN RUSH, COURT OFFICER AT 203-324-0227 EXTENSION 334.

SUPERIOR COURT
146 WHITE STREET
DANBURY, CT 06810

JOYCE A. MORIN
559 RTE. 6
P.O. BOX 110
MAHOPAC NY 10541

DATED: FEB 22, 2001 DBD

APPENDIX D7

A.C. 21419	:	Superior Court
Docket No. CV000338520	:	Complex Litigation
The Alliance Foundation, Inc. et al.	:	Docket at Stamford
v.	:	
Eugene Grant, et al.	:	February 2, 2001

ORDER

This Court, Tierney, J., replies to the Plaintiffs' Motion For Rectification of Transcripts, dated January 22, 2001.

The Plaintiffs have prefaced the PROPOSED CORRECTIONS section of Exhibit A by stating: " The proposed corrections listed below may not reflect all corrections both technical and of substance. This Transcript needs further review to accurately address further corrections."

This Court, Tierney, J., will only comment on "Transcript #1", November 15, 2000, since this court did not preside over the October 16, 2000 hearing in "Transcript #2." This court will rule only on the items numbered 1-20 in Exhibit A. This court has not been requested to review other portions of "Transcript #1." This order will be filed with the Appellate Court in accordance with Practice Book Section 66-5.

In accordance with Practice Book Section 66-5, this court, as the trial judge who presided over the November 15, 2000 hearing finds: (1) No hearing shall be held "at which arguments may be heard, evidence taken or a stipulation of counsel received and approved." (2) This court will "make such corrections or

additions as are necessary for the proper presentation of the issues raised or for the proper presentation of questions reserved." (3) This court has reviewed the PROPOSED CORRECTIONS contained in Exhibit A of Plaintiffs' Motion For Rectification of Transcripts dated January 22, 2001 and compared it with the complete transcript of November 15, 2000 hearing, submitted and certified by Susan Wandzilak, Registered Professional Reporter, who was the court reporter at the November 15, 2000 hearing. (4) Certain errors have been corrected as set forth in the following paragraphs of this ORDER; said paragraphs are numbered 1-20 to correspond with the paragraphs numbered 1-20 of the Plaintiffs' PROPOSED CORRECTIONS.

1. Page 1, line 4: "CV00-0338520S" replaces CV00-0033852S;
2. Page 1, line 12: "Morin" replaces Moran. Note: throughout the transcript, attorney Joyce Morin's name should be corrected. This court, therefore, will not reference further the incorrect spelling of Morin as Moran;
3. Page 1, lines 15-17: " MICHAEL K. STANTON, ESQUIRE, Attorney for Weil, Gotshal and Manges, Mark Hoeig and David Stone" replaces lines 15-17 entirely. Mark Hoenig and David Stone are parties represented by Attorney Stanton. Therefore " Mr. Stanton" must be substituted for Mr. Hoenig on page 9, lines 1, 6, and 10; and page 13, line 27.
4. Page 2, line 24: " Michael Stanton for Weil, Gotshal and Manges, Mark Hoenig, and David Stone" replaces lines 24 and 25 entirely;
5. Page 11, line 18: "October 16" replaces August 16;
6. Page 16, line 8: "DTL-USA" replaces DTLU;
7. Page 16, line 12: "DTL-USA" replaces DTLU
8. Page 16, line 25 : "DTL-USA" replaces DTLU
9. Page 34, line 12: "new" replaces no;
10. Page 34, line 26: No Change;
11. Page 43, line 25: "To" replaces Sister; Page 43, line 25: "Ira Millstein" replaces Hire Milstein;

12. Page 43, line 26: "Reynolds and Rowella" replaces Ellends (ph);
13. Page 49, line 7: "philosophically" replaces philosophy;
14. Page 76, line 4: No change;
15. Page 76, line 22: "Ministry of" replaces administrative;
16. Page 81, line 16: "Qiriat Arba" replaces Curiot Arba (ph);
17. Page 81, line 19: " Qiriat" replaces Curiot;
18. Page 89, line 17: No change;
19. Page 99, line 22: "116" replaces 160;
20. Page 114, line 20: No change; the court record ended when this court recessed at 1:12 p.m.

The request "to tape all future hearings" is DENIED. Practice Book Section 1-10.

SO ORDERED.
Dated this 2nd day of February, 2001

BY THE COURT

/S/_____
Tierney, J.

NOTICE SENT: 2/9/01
JOYCE A. MORIN
YVONNE LIEBEL, PRO SE
ROBINSON & COLE, LLP
RUCCI, BURNHAM, CARTA & EDELBERG, LLC
CURTIS MALLET-PREVOST, COLT & MOSLE, LLP
HALLORAN & SAGE, LLP
CLERK, SUPERIOR COURT, DANBURY
CV00 0338520S

APPENDIX D8

A.C. 21419	:	Superior Court
DOCKET NO. CV000338520		
The Alliance Foundation, Inc.	:	Complex Litigation
Inc. , et al.		Docket at Stamford
v.		
Eugene Grant, et al.	:	February 23, 2001

ORDER

This court, Tierney J., replies to the Plaintiffs' Motion for Rectification of Docket Sheets and Missing files dated January 22, 2001.

The Plaintiffs' motion requested the following relief on page 6, " The Plaintiffs respectfully move this court for an order to correct the docket sheets contained within the court's file and the state of the file to conform to the true state of the pleadings, including but not limited to the items listed in Exhibit E, pursuant to P.B. Section 66-5." Exhibit E is a one page letter with a five page attached list from the Plaintiff Yvonne Liebel to Robert Jackson, Assistant Clerk, Superior Court Judicial District of Danbury.

In accordance with Practice Book Section 66-5, this court as the trial judge who presided over the November 15, 2000 hearing finds: (1) No hearing shall be held "at which arguments may be heard, evidence taken or a stipulation of counsel received and approved." (2) This court shall make such corrections or additions as are necessary for the proper presentation of the issues raised or for the proper presentation of questions reserved.' (3) This court has reviewed the original portions of the court's file in the possession of the Presiding Judge, Complex Litigation Docket, Judicial District of

Stamford-Norwalk. (4) After said review this court makes the following findings:

(a) this file is physically in the Danbury J.D. and never has been physically in Stamford;
(b) once the objection to transfer to Complex Litigation Docket was overruled on November 15, 2000, the Court Officer for the undersigned requested Therese Servas, TCA/Chief Clerk, Judicial District of Danbury send the file to Stamford;
(c) once the notice of appeal of, inter alia, the transfer to Complex Litigation was received, the Court Officer notified Ms. Servas on December 1, 2000 that the file should not be forwarded until either the appeal was dismissed or there was a termination of stay as to the transfer;
(d) the only original filings/pleadings that are in Stamford are as follows:
    (i) #129- Application for Case Referral to Complex Litigation Docket dated 10/12/00, filed by Defendant Grant;
    (ii) #131- Objection to Application for Case Referral to Complex Litigation Docket, dated October 12, 2000, filed by Plaintiffs;
    (iii) #131.10- Supplement to October 12, 2000, Objection dated October 31, 2000, filed by the Plaintiffs;
    (iv) #137- Objection to the transfer to Complex Litigation Docket, dated November 9, 2000 filed by Plaintiffs;
    (v) #138- Motion for Continuance dated November 14, 2000, filed by Plaintiff Liebel.

(e) two of the items contained in paragraph 4(d) (i)- 4 (d) (v) were previously forwarded to the Appellate Court by the Complex Litigation Court Officer.

A copy of this order is being sent to Robert Jackson, Assistant Clerk, Superior Court Judicial District of Danbury along

with copies of the five documents set forth in paragraph 4 (d) (i)- 4 (d) (v) above.

All other requests made by the Plaintiffs of this Court are denied since this Court does not have and never did have possession of the remainder of the file.

SO ORDERED
Dated this 23rd day of February, 2001

BY THE COURT

/S/_____
Tierney, J.

Notice: 2/27/01
Yvonne Liebel
Joyce A. Morin
Curtis Mallet-Prevost, Colt & Mosle
Halloran & Sage, LLP
Robinson & Cole, LLP
Rucci, Burnham, Carta & Edelberg, LLC.
Clerk, Danbury J.D.
bjm

APPENDIX D9

Docket No. CV00-0341050S/49S/48S

Grant, Eugene	:	Superior Court
v.	:	Complex Litigation Docket at Stamford
Alliance Foundation	:	March 8, 2001

ORDER

1. The Motion for Continuance filed by Joyce A. Morin, counsel of record for Alliance Foundation, dated March 7, 2001 is DENIED.
2. The appearance filed by Joyce A. Morin for Alliance Foundation, is a general appearance for all purposes. The Practice Book does not permit conditional appearances in civil cases. No court has entered an order regarding any conditions to the general appearance of Joyce A. Morin for Alliance Foundation. Therefore, Joyce A. Morin's appearance is not conditional and she is required to appear before this court on March 12, 2001 at 10:00am fully authorized to speak for and bind her client, Alliance Foundation, according to law, in the same manner as all other counsel filing an appearance for parties in other civil actions in the Connecticut Superior Court.

SO ORDERED.

BY THE COURT,

/S/_____
Tierney, J.

Transcript Excerpt from Complex Litigation Docket hearing in Stamford before Hon. Judge K. Tierney, on November 15, 2000

Page 35 lines 12-18

MS. LIEBEL: Attorney Joyce Morin who I have a great deal of respect for and she has tried to help me to the best of her ability, she formally represents all the plaintiffs but primarily all she does is she reads documents prepared by me, edits the language and signs these documents to comply with the legal state requirement.

APPENDIX D10

Docket No. CV00-0341050S/49S/48S		
Grant, Eugene	:	Superior Court
v.	:	Complex Litigation Docket at Stamford
Alliance Foundation	:	March 9, 2001

ORDER

The Motion for Continuance filed by Attorney Joyce A. Morin via fax on March 9, 2001 is DENIED for failure to comply with Practice Book Sections 3-9 and 3-10.

SO ORDERED

BY THE COURT,

/S/_____
Tierney, J.

APPENDIX D11

Docket No. CV-00-0341048/49/50S	: SUPERIOR COURT
EUGENE GRANT	: JUDICIAL DISTRICT OF DANBURY
VS.	: AT DANBURY (also filed in Stamford)
ALLIANCE CAPITAL, INC.	: JANUARY 26, 2001

OBJECTION TO THE TRANSFER TO COMPLEX LITIGATION DOCKET

ORDER

The foregoing objection having been heard, it is hereby ordered : Overruled

THE COURT (Tierney, J.)
3/12/01

/S/_____
R Rush, Court Officer

APPENDIX D12

NO. A.C.21419
ALLIANCE FOUNDATION, INC.
ET AL. : APPELLATE COURT
V. : STATE OF CONNECTICUT
EUGENE GRANT ET AL. : MARCH 21,2001

ORDER

THE MOTION OF THE PLAINTIFFS-APPELLANTS, FILED FEBRUARY 20, 2001, FOR REVIEW OF ORDER CORRECTING TRANSCRIPT, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY

O R D E R E D NO ACTION NECESSARY.*

BY THE COURT,

*APPEAL DISMISSED THIS DATE.

/S/_____
ASSISTANT CLERK-APPELLATE

NOTICE SENT: MARCH 22, 2001
HON. KEVIN TIERNEY
CLERK, SUPERIOR COURT, DANBURY
CV00 0338520
JOYCE A. MORIN
RUCCI, BURNHAM, CARTA & EDELBERG, L.L.C.
YVONNE LIEBEL
ROBINSON & COLE
CURTIS MALLET-PREVOST, COLT & MOSLE
HALLORAN & SAGE, LLP

Er 779/002843

APPENDIX D13

NO. A.C.21419
ALLIANCE FOUNDATION, INC.
ET AL. : APPELLATE COURT
V. : STATE OF CONNECTICUT
EUGENE GRANT ET AL. : MARCH 21,2001

ORDER

THE SECOND REQUEST AND SUPPLEMENT MOTION OF THE APPELLANT, FILED MARCH 7, 2001, FOR RECTIFICATION OF DOCKET SHEETS AND MISSING FILES WHICH THE COURT TREATS AS A MOTION FOR ORDER, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY

O R D E R E D NO ACTION NECESSARY.*

*APPEAL DISMISSED THIS DATE.

BY THE COURT,

/S/_____
ASSISTANT CLERK-APPELLATE

NOTICE SENT:3/23/01
ROBINSON & COLE
RUCCI, BURNHAM, CARTQA & EDELBERG
YVONNE LIEBEL
CURTIS MALLET-PREVOST, COLT & MOSLE
HALLORAN & SAGE, LLP
JOYCE A. MORIN

Bjm 834-002907

APPENDIX D14

NO. A.C.21419
ALLIANCE FOUNDATION, INC.
ET AL. : APPELLATE COURT
V. : STATE OF CONNECTICUT
EUGENE GRANT ET AL. : MARCH 21,2001

ORDER

THE MOTION OF APPELLANT, FILED MARCH 3, 2001, FOR REVIEW OF JUDGE TIERNEY'S ORDER DATED FEBEUARY 23, 2001, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY

O R D E R E D NO ACTION NECESSARY.*

BY THE COURT,

*APPEAL DISMISSED THIS DATE.

/S/_____
ASSISTANT CLERK-APPELLATE
SUSAN C. REEVE

NOTICE SENT: MARCH 22, 2001
ROBINSON & COLE
RUCCI, BURNHAM, CARTQA & EDELBERG
YVONNE LIEBEL
CURTIS MALLET-PREVOST, COLT & MOSLE
HALLORAN & SAGE, LLP
JOYCE A. MORIN
HON. KEVIN TIERNEY
CLERK, SUPERIOR COURT, DANBURY
CV00 0338520S
Er 831/002908

APPENDIX D15

KEVIN W. AHERN
Attorney at law
33 Heritage Hill Road, Branford, Ct. 06405
Tel: 203-488-4520, Fax: 203-488-1465, E-mail: kwsahe@earthlink.net

March 30, 2001

To: Yvonne Liebel
From: Kevin W. Ahern
Re: Alliance Foundation, Inc., Et Al v. Eugene Grant, Et Al.

Dear Eva:

As I was passing through Stamford this morning I stopped at the Court house to review the files in the three new cases. While I was there the clerk informed me that your appeal in the above captioned matter was dismissed on March 22, 2001. You should check with Joyce immediately to see if she received a memorandum of decision.

/s/Kevin

APPENDIX D16

KEVIN W. AHERN
Attorney at law
33 Heritage Hill Road, Branford, Ct. 06405
Tel: 203-488-4520, Fax: 203-488-1465, E-mail: kwsahe@earthlink.net

April 3, 2001

To: Yvonne Liebel
From: Kevin W. Ahern
Re: Grant V. Alliance Capital, Inc.
Grant V. Alliance Capital, Inc.
Grant V. Alliance Foundation, Inc.

Dear Eva,

I remind you that I need input from you to complete the preliminary designation of pleadings for the appeal of the above cases. We should file these pleadings soon.

I received a call from Robinson and Cole this morning. One of their attorneys wants to discuss these cases before filing a motion to dismiss. It is customary to return calls to opposing counsel. Do you wish to participate in the conversation?

Sincerely,

/s/Kevin W. Ahern

* * *

April 4, 2001
To: Yvonne Liebel
From: Kevin W. Ahern
Re: Eugene Grant V. alliance Foundation, Joint Appeal

Dear Eva:

You had indicated that you wanted to discuss the preliminary designation of documents for the above appeal. Too date I have sent you several letters requesting your input. I reviewed the court files in both Stamford and Danbury. I made an index of these files' contents. The Preliminary designation of pleadings has to be based upon the contents of the Court file. As I previously explained to you the Appellate Court sits as a court of review. It determines the propriety of the trial court's actions with respect to the contents of the file. I can put together a preliminary designation of pleadings from the court files if you wish. I really am not certain what else it is that you want included which was contained in your 121fax. That was the subject of the above referenced letters to you earlier this week.
/s/Kevin W. Ahern * * *

April 7, 2001
To: Yvonne Liebel
From: Kevin W. Ahern
Re: Eugene Grant V. alliance Foundation, Joint Appeal

Dear Eva:

We need to file the supporting documents with the Appellate Court in the above matters. You had indicated that you wanted to have some input with respect to the preliminary designation of documents. I have sent you several letters concerning this matter. Wee need to get these documents on file very soon or we may run into problems with late filing.

Pursuant to your instructions I worked on the petition for certification in the case of the Alliance Foundation, Inc. et al. v. Eugene Grant et al. rather than the supporting appellate pleadings for the above captioned matters this weekend. However, following the completion of the other work, I went back to work on the above mentioned supporting documents for the appeal.

Enclosed are the preliminary statements of issues, preliminary designation of pleadings, docketing statement, statement for preargument conference, notice of appeal and docketing sheets. Please review them at your earliest convenience. We need to file these documents very soon.

Thank you for your kind attention to this matter.

Sincerely,
/s/ Kevin W. Ahern

* * *

April 10, 2001
To: Yvonne Liebel
From: Kevin W. Ahern
Re: Eugene Grant V. alliance Foundation, Joint Appeal

Dear Eva:

I faxed you the supporting documents for the appeal of the above three matters over the weekend. Please review them. These documents need to be filed with the Court.

Sincerely,
/s/Kevin Ahern

* * *

April 13, 2001
To: Yvonne Liebel
From: Kevin W. Ahern
Re: Eugene Grant V. alliance Foundation, Joint Appeal

Eva:

There may be a way to transfer the appeals pending in the above captioned matter to the Supreme Court without having to withdraw them from the appellate court or file a new appeal. However, you need to file the supporting appellate documents that I faxed you last weekend in order to do it. I urge you to file these documents soon. I think you need the input of all your attorneys in this matter before a decision is made on the business of transfer.

Sincerely,
/s/ Kevin W. Ahern

* * *

April 18, 2001
To: Yvonne Liebel
From: Kevin W. Ahern
Re: Eugene Grant V. alliance Foundation, Joint Appeal

Eva:
..... There is also the matter of the pending appeal to the Appellate Court in this matter. Do you wish to proceed with it? Do you wish to file the supporting documents? If so, we need to file them very soon. Otherwise, the Court may dismiss the appeal on its own motion or motion of opposing counsel. The Court wants t know what you want to do. We need to answer the Court's telephone inquiry. I repeatedly asked you how you wish to proceed in this matter with respect to filing these documents. I still do not have an answer. Do you want to move for an extension of time? Do you want to begin drafting Briefs? If so time is becoming short. Furthermore, the Court may not allow you a duplicate appeal to the Supreme Court in the same matter, or duplicate appeals may open the door to opposing counsel's motion to dismiss one or the other.

Please call me today to discuss these matters.
Thank you for your kind attention in this matter.

Sincerely,
/s/Kevin W. Ahern

APPENDIX D17

P.O.BOX 3245 RIDGEWAY STATION
123 HOYT STREET
STAMFORD, CONNECTICUT 06905

EFFECTIVE DATE 03/30/2001 OF TRANSFERRED CASE -
THE FOLLOWING DOCKET NUMBER:
CV-01-0183182-S
HAS BEEN ASSIGNED TO THE CASE OF:
ALLIANCE FOUNDATION ETAL
VS.
GRANT, EUGENE ET AL

WHICH HAS BEEN TRANSFERRED BY THE CURT TO:
STAMFORD JUDICIAL DISTRICT.
PLEASE USE THIS NUMBER ON ALL FUTURE PLEADINGS,
MOTIONS, AND CLAIM SLIPS.

CLERKS OFFICE, JUDICIAL DISTRICT
SUPERIOR COURT
P.O.BOX 3245 RIDGEWAY STATION
123 HOYT STREET
STAMFORD, CONNECTICUT 06905

JOYCE A. MORIN
559 RTE. 6
P.O.BOX 110
MAHOPAC NY
10541

APPENDIX D18

Faxed on April 19-01 at 1:06 PM by Attorney Ahern 203-488-1465

Francis J. Drumm, Jr. **SUPREME COURT** 231 capitol Avenue
Chief Clerk **APPELLATE COURT** Drawer Z. Station A
860-757-2200 Hartford, CT 06106

April 16, 2001

Dear Counsel and Pro se Parties:

The attached, recently-filed appeal, has been assigned docket number A.C.21768 Eugene M. Grant v. Alliance Capital Inc.

The case manger responsible for this appeal is: Cynthia Gworek Questions are encouraged; to ask them, direct-dial your case manager at 860-757-2149.

It is the policy of the Appellate system to maintain normal operations (9am to 5 pm, Monday through Friday) whenever reasonably possible. There maybe occasions, however, when normal operations may be temporarily suspended or curtailed, such as severe inclement weather. On those occasions, a recorded message will be played when the general public number, 860-757-2200, is dialed.

Documents due on a day when operations are suspended or curtailed may be filed on the next day when the office is required to be open. Practice Book Section 63-2.

We strive to conduct the business of the Courts courteously and efficiently. If you have comments about how we do that, I would like to hear from you.

Very truly yours,

/s/_____

Francis J. Drumm, Jr.

APPENDIX D19

Kevin W. Ahern
Attorney at law
33 Heritage Hill Road, Branford, CT 06405
Tel: (203) 488-4520 Fax: (203) 488-1465

April 22, 2001

Appellate Court
231 Capitol Avenue
Hartford, CT

Attention: Appellate Clerk
Re: Grant v. Alliance Capital Inc.
Docket No. CV 00 0341048 S
Grant V. Alliance Capital, Inc.
Docket No. CV 00 0341049S
Grant V. The Alliance Foundation, Inc.
Docket No. CV 00 0341050S

Dear Sir/Madam:

On March 29, 2001 Alliance Capital, Inc. and The Alliance Foundation, Inc. filed a notice of joint appeal with the Superior Court in the Judicial District of Danbury at Danbury. The issues presented for appeal were similar to those contained in an appeal which was assigned the docket number of AC 21419, which had been dismissed on March 22, 2001. The Defendants in the above captioned matters were not notified of the dismissal, and found out about it completely by accident on March 30, 2001. Despite the dismissal by the Appellate Court, this dismissal is not a final judgment. Certification for review of this matter is being sought from the Supreme Court. Had the Defendants in the above captioned matter known of the dismissal, they would not have filed the appeal., but rather would have sought direct review by the Supreme Court pursuant to CGS Section 52-265a.

The Defendants did not file the supporting documents required by PB Section 63-4. The Appellate Clerk assigned a docket number of AC 21768 to this joint appeal before the Appellants filed an endorsed copy of the appeal and any of the PB Section 63-4 documents. PB Section 63-3 clearly indicates that a docket number is to be assigned only after the appellants have the endorsed copy of the appeal form. My client has not authorized me to file a withdrawal of this appeal, but instead requests the Appellate Clerk to reverse all actions taken in this matter to date.

With respect to appeal number 21419 the docket sheets on record with the Court indicate that this appeal was withdrawn rather than dismissed. My client is deeply concerned about this error because it has appeared on the Internet. My client has requested that you correct this error in the docket entry to show that the appeal was dismissed.

Sincerely,
/S/ Kevin Ahern

APPENDIX D20

NO. A.C.21768
EUGENE GRANT

: APPELLATE COURT
V. : STATE OF CONNECTICUT

ALLIANCE CAPITAL, INC. : JUNE 20, 2001

ORDER

THE MOTION OF THE PLAINTIFF, FILED APRIL 17, 2001, TO DISMISS THE APPEAL OF THE DEFENDANT, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY

O R D E R E D GRANTED.

BY THE COURT,

SCHALLER, J.,
IS RECUSED

/S/_____

ASSISTANT CLERK-APPELLATE
CYNTHIA M. GWOREK

NOTICE SENT: JUNE 20, 2001
ROBINSON & COLE
KEVIN W. AHERN
CLERK, SUPERIOR COURT, DANBURY
CV00-0341048S, CV00-0341049S, CV00-0341050S
HON. TAGGART D. ADAMS
PAC
Mkm 1006/003110

APPENDIX D21

NO. A.C.21768
EUGENE GRANT

: APPELLATE COURT
V. : STATE OF CONNECTICUT

ALLIANCE CAPITAL, INC. : JUNE 20, 2001

ORDER

THE MOTION OF THE PLAINTIFF, FILED APRIL 17, 2001, FOR SANCTIONS, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY

O R D E R E D DENIED.

BY THE COURT,

SCHALLER, J.,
IS RECUSED

/S/_____
ASSISTANT CLERK-APPELLATE

CYNTHIA M. GWOREK

NOTICE SENT: JUNE 20, 2001
ROBINSON & COLE
KEVIN W. AHERN
CLERK, SUPERIOR COURT, DANBURY
CV00-0341048S, CV00-0341049S, CV00-0341050S
HON. TAGGART D. ADAMS
PAC
Mkm 1007/003109

APPENDIX D22

JOYCE A. MORIN
Attorney At Law
559Route 6 * P.O.Box 110 * Mahopac, New York 10541
Phone (845) 628-1825* Fax (845)628-1605

July 18, 2001

Joseph Clasen, Esq. - Fax No. 1-203-462-7599
Robinson & Cole, LLP
695 East Main ST.
P.O.Box 10305
Stamford, CT 06904

Re: The Alliance Foundation, et al
Vs. Eugene Grant et al.
X05 CV 01 0183 182-S

Dear Mr. Clasen:

I am in receipt of your notice of Deposition scheduled for tomorrow, July 9, 2001, at your office.

Please be advised that this attorney no longer represents The Alliance Foundation, or its founder, Yvonne Liebel. Accordingly, I will not be at your office on July 19, 2001.

I will provide the appropriate papers to inform the Court and all parties involved.

Very truly yours,

/s/ Joyce A. Morin

cc: Yvonne Liebel- Fax No. 1-203- 438-0040

APPENDIX D23

Page 1 LIEBEL 10/25/00

AM
10:15 Agent arrives at client's home address
10:38 Agent departs with client. There is a private guard present.
10:50 Agent & client arrive at client's office. Alarm is jammed.
11:00 Former bookkeeper "Paul" arrives & writes an affidavit on his behalf. Maintenance is working on heating radiator. The accounting office was flooded with water and files were wet.

12:45 It's noticed the main entrance into the office has damage on the door in the handle area, the wood is split and broken, there is also damage to the door frame which exactly co-insides with the damage on the door. There is fragmented wood and paint debris on the floor under where the door would be positioned when closed. Also, the accounting room door directly behind main door has very similar markings on the door and door's frame with same type of

debris found on floor where door latches when closed. Also Also, one of three, 4 drawer file cabinets was unsecured, the lock was found to be on top of the cabinet with no key in sight. The security bar that was the length of the four drawers was found across the room on the floor.

PM
1:25 Agent and Client in process of departing.

/s/_____
Mgr. Discreet Investigations, Inc.
203-448-5429

APPENDIX D24

Abraham Uzi Waks, MD. F.A.C.P.
Internal Medicine, Hypertension & Nephrology

March 26, 2001

To: Whom It May Concern
Re: Yvonne Liebel

The above patient has been under my care since February 27, 2001 for lightheadedness and bronchial irritation.

Mrs. Liebel was exposed to Bromine in Connecticut and experienced eye and bronchial irritation. Since leaving her polluted environment she had been feeling much better. She has still some

lightheadedness. Bromine level, blood and urine, are still above normal range but less than toxic level.

I recommended her to stay another month out of Bromine polluted environment. Please feel free to call me for additional information regarding this matter.

Sincerely,

/s/_____

Abraham Uzi Waks M.D.
Clinical Associate Professor of Medicine UCLA
8920 Wilshire Blvd. Beverly Hills, CA90211

APPENDIX D25

THE ALLIANCE FOUNDATION, INC.
54 Danbury Road, Suite 300, Ridgefield, CT 06877
Tel: 203-431-8655 Fax: 203-438-4677

June 22, 2001

Via: Fax (2 pages)
203-356-9471

Rose Ann Rush, Esq.
Superior Court - Stamford
Complex Litigation Docket (CLD)
123 Hoyt Street
Stamford, CT 06905

Re: Resignation of Counsel
The Alliance Foundation, Inc. et al v. Eugene Grant, et al., CV-00-0338520-S, DTL-USA, Inc. and Yvonne Liebel v. Ridgefield Bank, CV-00-0338142-S, Eugene Grant v. The Alliance Foundation, Inc. CV-00-0341050-S and Eugene Grant v. Alliance Capital, Inc., cases CV-00-0341048-S and CV-00-0341049-S

Dear Ms. Rush:

In April this year Attorney Kevin Ahern resigned from his representation of the three Grant cases No.'s CV-00-0341048-S/49-S/50-S. His resignation came a result of my refusal to go forward with the appeal of these cases to the Appellate Court after I learned that the appeal on case No. CV-00-0338520-S was dismissed. Although the appeal process was never completed in accordance with P.B 63-3, the Court assigned this non-appeal a docket number and a case manager. Against the interest of the corporations

Attorney Ahern urged me to immediately respond to the Motion to Dismiss Appeal and Motion for Sanctions filed by Attorney Joseph Clasen, which I refused to do. Against my instructions, attorney Ahern further validated the appeal by filing on his behalf an answer to the Motion for Sanctions. Yesterday, Attorney Ahern faxed me a copy of the Appellate Court decisions dismissing this appeal and denying the sanctions. Attorney Ahern offered no explanation or advice with regard to this matter. Since this incident I find I can no longer depend on Attorney Ahern's legal advice and thereby accept his resignation as of today with regard to any of the above corporations.

In addition, on June 18, 2001, I received a fax letter from Attorney Joyce Morin, informing me of her resignation. This came as a surprise, especially after I had sent this Court our intent to add her back to the cases represented by Attorney Ahern. Attorney Morin 's primary reason for resigning was that she was not getting her fee of $1000 a month in a timely fashion, although she had always received her payments within 30 days or sooner and received her last payment only few days prior to her resignation. I asked Attorney Morin to remain counsel for the corporations but did not yet receive her final response.

Considering these circumstances you may contact me directly with regard to any conferences or other related matters at:

Fax: 203-438-0040 and 310-657-2731
Phones: 203-438-4377 or 203-894-9702
Cell phone: 310-435-0769
Address: 106 Great Hill Road, Ridgefield, CT 06877

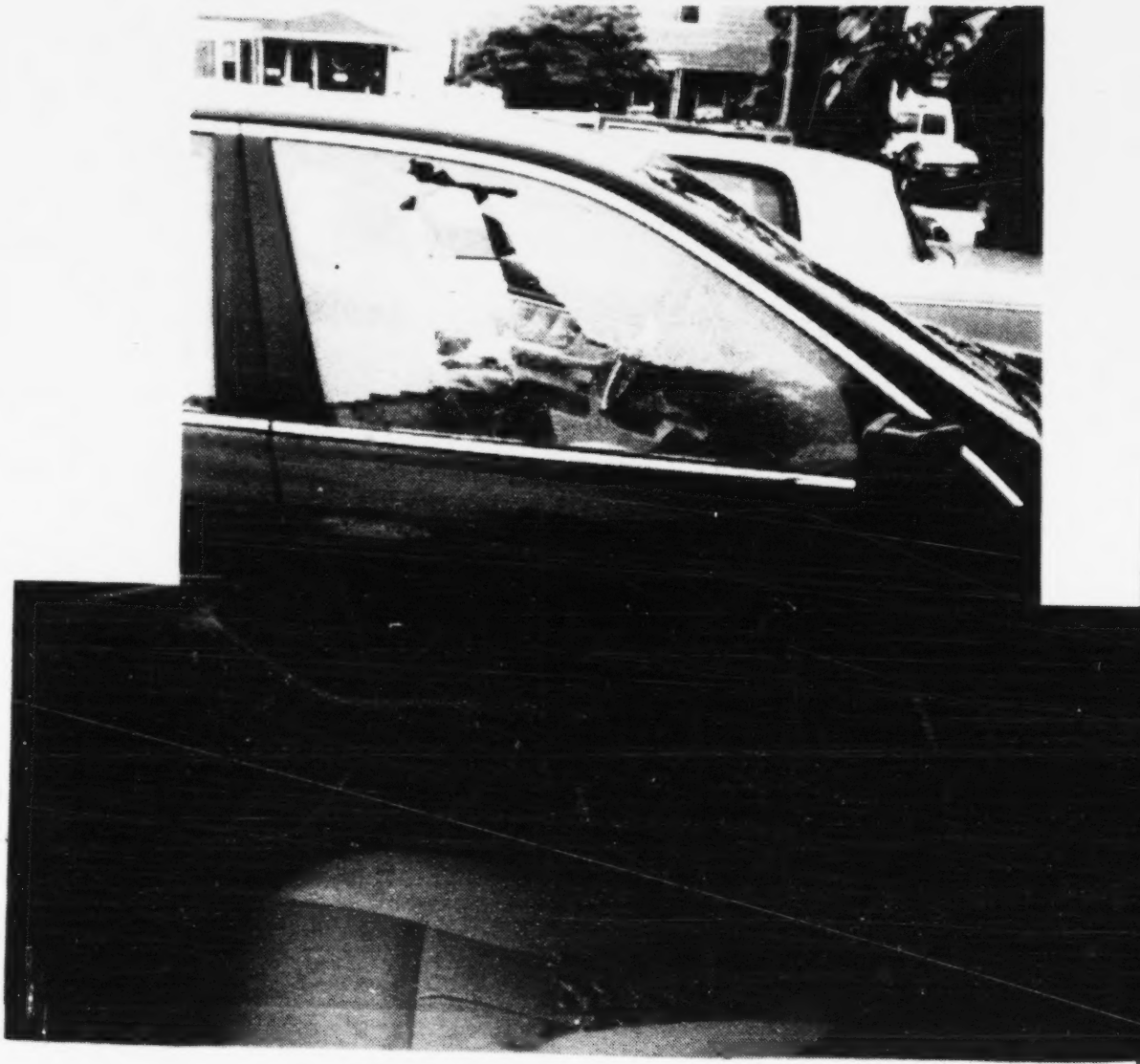
Sincerely

/S/Yvonne Liebel

Cc: Kevin Ahern, Esq. 203-488-1465
Joyce Morin, Esq. 845-628-1605
Joseph L. Clasen, Esq. 203-462-7599
Brian Wille, Esq. 212-808-8108
Stephen Fogerty, Esq. 203-227-6992
Karen Linder, Esq. 203-655-4302
Susan Reeve, Clerk Appellate Court 860-757-2217
Robert Jackson, Assistant Clerk, Danbury Superior Court 203-207-8642

APPENDIX D26

5/27/01 Photograph of car window



APPENDIX D27

July 5, 2001, Residence Interior Doors

(2)

No. 01-258

Supreme Court, U.S.
FILED

OCT 11 2001

IN THE

Supreme Court of the United States

YVONNE LIEBEL,

Petitioner,

—v.—

EUGENE GRANT, ROBERT NAGRO, RICHARD SOLOMON, RIDGEFIELD BANK, WEIL, GOTSHAL AND MANGES, LLP, BRIDGE TO BROTHERHOOD, INC., MARK HOENIG, DAVID STONE, IRA MILLSTEIN, MARVIN JACOB, REYNOLDS AND ROWELLA, LLP, and PRICEWATERHOUSECOOPERS, LLP/KESSELMAN & KESSELMAN,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE STATE OF CONNECTICUT APPELLATE COURT

BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

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Bridge to Brotherhood, Inc.,
Mark Hoenig, David Stone,
Ira Millstein and Marvin Jacob

QUESTIONS PRESENTED

Did the Appellate Court of the State of Connecticut err in dismissing the pro se Petitioner's appeal of an order which transferred this action to Connecticut's Complex Litigation Docket pursuant to the administrative procedures applicable to the Connecticut Complex Litigation Docket provisions?

Did the Supreme Court of the State of Connecticut err in denying Petitioner's "Joint Petition for Certification to the Supreme Court" with respect to an order of the Connecticut Appellate Court which dismissed Petitioner's appeal?

LIST OF PARTIES

The parties to the proceeding below were:

Yvonne Liebel (hereinafter referred to as "Liebel"), Petitioner;

The Alliance Foundation, Inc. (hereinafter referred to as "the Alliance Foundation");

Alliance Capital, Inc. (hereinafter referred to as "Alliance Capital");

General Homes, Inc. (hereinafter referred to as "General Homes");

Alliance International Development Corp. (hereinafter "Alliance International");

DTL-USA, Inc. (hereinafter "DTL");

Eugene Grant (hereinafter "Grant");

Robert Nagro (hereinafter "Nagro");

Richard Solomon (hereinafter "Solomon");

Ridgefield Bank (hereinafter "Ridgefield Bank");

Weil, Gotshal & Manges, LLP (hereinafter "Weil Gotshal");

Mark Hoenig (hereinafter "Hoenig");

David Stone (hereinafter "Stone");

Bridge to Brotherhood, Inc. (hereinafter "BTB");

Ira Millstein (hereinafter "Millstein");

Marvin Jacob (hereinafter "Jacob");

Reynolds and Rowella, LLP (hereinafter "Reynolds and Rowella"); and

PriceWaterhouseCoopers, LLP/Kesselman & Kesselman (hereinafter "PWC").

With respect to the corporate parties set forth above, in compliance with Rule 29(6) of this Court, no parent or publicly held company is known to own 10% or more of said parties' stock, if and to the extent stock is, or has been, issued with respect to said corporate parties.

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STATEMENT OF THE CASE

In the Connecticut Court system, cases typically are not assigned to one particular judge. As a result, multiple judges are often required to familiarize themselves with the facts and procedural history of a matter in order to render rulings with respect to that case. Recognizing the potential inefficiencies of this system in a matter involving complex issues and facts, the Connecticut legislature passed a statute which permits the Chief Court Administrator to assign a single judge to preside with respect to all motions, issues, hearings, etc., in a case involving complex issues and facts.

The issue before the Court arises out of the transfer of just such a complex matter to a Complex Litigation Docket Court in the State of Connecticut. The transfer was effected by an Application for Transfer on notice as well as an Objection to the Application. The Objection was overruled after a full and ample opportunity to be heard was afforded the objecting party. The case was transferred to Connecticut's Complex Litigation Docket pursuant to the Connecticut Rules of Court as part of the judicial mechanisms enacted to encourage, assist and foster the efficient operation of the Connecticut courts.

The pro se Petitioner argues that the simple transfer of the case to the Complex Litigation Docket amounted to a denial of her constitutional rights to due process and equal protection. The transfer of a case to a particular judge clearly does not deny any such rights. Accordingly, no such rights were denied and there is no issue otherwise requiring the attention of this Court.

Respondents Weil Gotshal, BTB, Hoenig, Stone, Millstein and Jacob respectfully submit that the "Questions Presented" as set forth in this Brief in Opposition must be answered in the negative and that the Petition should be denied.

On March 21, 2001, the Appellate Court of the State of Connecticut issued an Order granting a Motion to Dismiss Appeal filed with respect to a matter entitled Alliance Foundation, Inc. et al v. Eugene Grant et al (the "Main Action"). [1] In its Order, the court addressed an appeal by Liebel and the Alliance Foundation from a prior order which transferred the Main Action from the Superior Court, Judicial District of Danbury, to the State of Connecticut Superior Court Complex Litigation Docket Court located at Stamford. The Appellate Court dismissed the appeal because the Order below was a non-appealable non-final interlocutory order. [See Appendix A to Liebel's Petition for Writ of *Certiorari,* at page 1a.]

Following that ruling, the State of Connecticut Supreme Court denied Liebel's "Joint Petition for Certification to the Supreme Court." [See Appendix A1 through A4 to Liebel's Petition for Writ of *Certiorari,* at pages 2a through 7a.] In addition to the Main Action, a number of additional related matters with overlapping

[1] As referenced in Liebel's Petition, the Main Action bears a Connecticut State Court Docket number of DBD-CV-00-0338520-S. However, the correct and current docket number properly associated with the Main Action is (X02) CV-01-0167482-S. The Weil Defendants (Weil Gotshal; Hoenig; Stone; Millstein; and Jacob) and BTB are parties only to the Main Action.

parties appear as part of the record below. [2] By her requests for "Joint Certification," Liebel attempted to obtain review by the Supreme Court of the State of Connecticut of the Main Action and the Related Matters on a joint basis.

It is within this context of multiple parties, multiple claims and multiple filings that this Court is presented with the question of whether or not to grant Liebel's Petition. Put as succinctly as is practicable, Liebel maintains that she is entitled to the review of this matter by the Court insofar as her "due process rights" have been denied by the simple transfer of the Main Action (as well as three of the Related Matters) to the Complex Litigation Docket Court at Stamford. She also maintains that the Connecticut Supreme Court's refusal to review a non-appealable procedural order should be reviewed by this Court.

Petitioner has not demonstrated a basis for this Court's consideration of this matter pursuant to Rule 10 of the Rules of the Supreme Court or otherwise. She does not argue that there is a conflict either among the circuit courts or with a state court of last resort. Arguments that she has been deprived of her constitutional rights to due process and equal

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[2] The additionally referenced related matters (hereinafter referred to together as the "Related Matters") with corresponding corrected and current State of Connecticut Docket numbers are as follows: DTL-USA, Inc. v. Ridgefield Bank, CV-00-0338142-S; Eugene M. Grant v. Alliance Foundation, Inc., (X05) CV-01-0184856-S; Eugene M. Grant v. Alliance Capital, Inc., (X05) CV-01-0184857-S; and Eugene M. Grant v. Alliance Capital, Inc., (X05) CV-01-0184858-S. Although this Opposition is submitted only with respect to the Main Action, the arguments made herein are equally applicable to any consideration of the Related Matters.

protection are clearly without merit. Indeed, Liebel cannot demonstrate that this matter implicates the infringement or impairment of any constitutional right. Transfer of the Main Action and three of the Related Actions to the Complex Litigation Docket was clearly not an abuse of the Superior Court's discretion, and was therefore properly left undisturbed by the Appellate Court of Connecticut and the Connecticut Supreme Court. Consequently, there is no reason for this Court to exercise its authority in this case.

For these reasons, Liebel's Petition for a Writ of *Certiorari* should be denied.

STATEMENT OF FACTS

A. Liebel's Allegations

In the Main Action commenced by the Alliance Foundation and Liebel (as a pro se Plaintiff), Liebel seeks to make out expansive, broadly based and far ranging allegations against the Respondents. The most recent iteration of the allegations made by Liebel is contained in the twenty-eight Counts of plaintiffs' Third Amended Complaint - a tome of over one-hundred pages (excluding the hundreds of pages of exhibits) containing hundreds of paragraphs. The Third Amended Complaint seeks to allege a litany of torts and state law common law claims purportedly inflicted upon the named plaintiffs in connection with the corporate history, existence, operation and status of

the Alliance Foundation. [3] No discovery has been taken with respect to the Main Action.

B. Transfer to Complex Litigation Docket

Liebel's complaints with respect to the proceedings below center around the transfer of the Main Action and three of the Related Matters to the Complex Litigation Docket. Assignment to the Complex Litigation Docket is pursuant to Connecticut statute that provides as follows:

> Any action or the trial of any issue or issues therein may be transferred, by order of the court on its own motion or on the granting of a motion of any of the parties, or by agreement of the parties, from the superior court for one judicial district to the superior court in another court location within the same district or to a superior court location for any other judicial district, upon notice by the clerk to the parties after the order of the court, or upon the filing by the parties of a

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[3] Included among the allegations which Liebel seeks to assert below are: Civil Conspiracy; Waste/Squandering of Corporate Assets; Willful Mismanagement of Corporate Assets; Fraudulent Misrepresentation; Tortious Interference with Financial Expectations; Malpractice; Breach of Fiduciary Duty; Tortious Interference with Business Relationships; and Intentional Infliction of Emotional Distress. Ironically, by the very nature of the pleading below and the array of parties sought to be included in it, the plaintiffs below rendered the Main Action particularly suited to the transfer at issue. Further, given that pleading, the transfer at issue was designed to encourage and foster fairness and judicial efficiency for the benefit of ALL of the parties referenced – including Petitioner.

> stipulation signed by them or their attorneys to that effect. The Chief Court Administrator or any judge designated by the Chief Court Administrator to act on behalf of the Chief Court Administrator under this section may, on [his own] motion of the Chief Court Administrator or any such judge, when required for the efficient operation of the courts and to insure the prompt and proper administration of justice, order like transfers.

An Act Concerning Court Operations, Conn. Public Act No. 99-215, § 27(a) (1999).

Enacted to ensure the "efficient operation of the courts" and the "prompt and proper administration of justice," the following provisions of the Practice Book of the State of Connecticut are of note in any consideration of the Complex Litigation Docket. Section 23-13 provides:

> The chief court administrator or the chief administrative judge of the civil division may designate a group of cases that have many parties and common questions of the law or fact as complex litigation cases and assign the cases to a single judge for pretrial, trial, or both and, if appropriate, may assign the cases to another judge or court officer for settlement or mediation discussions.

Conn. Super. Ct. § 23-13 (2000).

Section 23-14, which is concerned with the powers of the Judge assigned in Complex Litigation Cases, provides:

> The judge to whom complex litigation cases have been assigned may stay any or all further proceedings in the cases, may transfer any or all further proceedings in the cases to the Judicial District where the judge is sitting, may hear all pretrial motions and may enter any appropriate order which facilitates the management of the complex litigation cases.

Conn. Super. Ct. § 23-14 (2000).

Finally, Section 23-15, relating to a request or application for Complex Litigation Status, provides:

> An attorney or judge may request the chief court administrator to make an assignment pursuant to Section 23-13. The request shall be submitted in writing to the chief court administrator and the chief administrative judge of the civil division. When an attorney makes such a request, the attorney shall serve a copy of the request on all other parties pursuant to Sections 10-12 through 10-17. Should the chief court administrator deem it appropriate to do so, the chief

> court administrator may solicit comments on the request by causing a notice to be published in the Connecticut Law Journal.

Conn. Super. Ct. § 23-15 (2000).

On or about October 12, 2000, defendant Grant submitted an "Application for Case Referral to the Complex Litigation Docket" with respect to the Main Action. Grant based his Application, in part, on the fact that:

> "[h]aving a single judge handle the case would save valuable judicial resources that would otherwise be expended if several judges have to become acquainted and reacquainted with the facts and procedural status of the case." [See Appendix D to Liebel's Petition for Writ of *Certiorari*, at page 22a.]

Liebel served and filed an Objection to Grant's Application for Complex Litigation Docket Referral, asserting that such a referral would create undue hardship on the Plaintiffs, counsel and witnesses in the Main Action, and that the interests of justice required that the matter remain in the Judicial District of Danbury. [See Appendix D1 to Liebel's Petition for Writ of *Certiorari*, at pages 23a-24a.]

With respect to the Application by Grant, the Hon. John J. Langenbach (Chief Administrative Judge)

"determined that such transfer [was] required for the efficient operation of the Courts and the proper administration of justice." [See Appendix D2 to Liebel's Petition for Writ of *Certiorari*, at page 25a.]

According to procedure set forth in the cited Connecticut authority, Liebel's Objection was referred to the presiding judge for the Complex Litigation Docket at Stamford to be scheduled for argument.

Thereafter, a hearing was scheduled for November 15, 2000, on Liebel's Objection. At the time of the Hearing, counsel for the corporate plaintiffs [4] along with Liebel (who appeared pro se) argued in favor of the Objection filed to the Application for Complex Litigation Docket referral. After hearing plaintiffs' arguments, the court overruled the Objection, finding that the matter was properly referred to the Complex Litigation Docket. [See Appendix C6 to Liebel's Petition for Writ of *Certiorari*, at page 20a.]

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[4] As of the date of service of Liebel's Petition (August 8, 2001), the corporate plaintiffs in the Main Action are not represented by counsel. Counsel for the corporate plaintiffs have resigned. Liebel now is acting pro se as to her interests only, which interests are separate and distinct from any claims, rights and/or remedies that may arguably attach to, belong to or are capable of being asserted by or for the corporate plaintiffs.

REASONS FOR DENYING THE PETITION FOR A WRIT OF *CERTIORARI*

1. No Question of Federal Law or Fundamental Right is Implicated

Petitioner's allegations with respect to the transfer of the Main Action and three of the Related Matters to the Complex Litigation Docket are more than somewhat muddled. The main thrust of her contentions appears to be that her due process [5] rights were violated by both the transfer to the Complex Litigation Docket and the Connecticut Supreme Court's refusal to hear her appeal of that non-final interlocutory order.

A. Transfer to Complex Litigation Docket

Liebel concedes that the transfer of a civil matter to the Complex Litigation Docket within the State of Connecticut is permissible, and she does not contest that the Main Action is properly characterized as a

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[5] The Fourteenth Amendment to the U.S. Constitution provides: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." U.S. CONST. amend. XIV. Liebel also alleges a violation of her equal protection rights. [See Liebel's Petition in Support of Writ for *Certiorari,* at page 19.] However, she does not pursue this theory. Also, Liebel apparently believes that her life and liberty are at risk and that a campaign of chemical warfare is being waged against her. [See Liebel's Petition for Writ of *Certiorari,* at page 18.]

"Complex Litigation" within the language of Section 23-13.[6] Further, Liebel does not challenge the constitutionality of the Complex Litigation Docket statutory authority [Conn. Public Act 99-215, Section 27a; Conn. Super. Ct. Rules Sections 23-13, 23-14, and 23-15]. [7] However, she seems to be objecting to the hardship that the effect of that transfer imposes upon her (i.e., one hour travel), and seeks to establish the attenuated proposition that the transfer constitutes a violation of a perceived right to choose venue.

The decision to transfer the Main Action to the Complex Litigation Docket was clearly within the discretion of the Superior Court. In *Halloran v. Town of North Canaan*, 32 Conn. App. 611, 630 A.2d 145 (Conn. App. Ct. 1993), the Appellate Court of Connecticut defined its abuse of discretion standard by stating that "[d]iscretion accorded to the trial court on questions of law is legal discretion, to be exercised in conformity with the spirit of the law and in a manner to subserve and not to impede or defeat the ends of justice." *Halloran*, 32 Conn. App. at 614, 630 A.2d at 147. The Appellate Court intimated that the abuse of discretion standard is a difficult hurdle to surmount, stating that

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[6] In the commentary to Section 23-13, "Complex Litigation" is described simply as "a group of cases that have many parties and common questions of law and fact." See Wesley Horton and Kimberly A. Knox, Connecticut Practice Services, Vol. 1A *Practice Book Annotated, Superior Court Civil Rules* 148 (West Group 4th ed. 1998).

[7] Liebel's failure to challenge the constitutionality of the statutory authorities at issue renders Rule 10 of the Rules of the United States Supreme Court even more important: "A petition for a writ of *certiorari* is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law." Rule 10, Rules of the Supreme Court of the United States.

"we must make every reasonable presumption in favor of the [court's] correctness of its action." *Halloran,* 32 Conn. App. at 614, 630 A.2d at 148. The *Halloran* court further stated that a determination of abuse of discretion requires not a "bad motive or wrong purpose but means that the ruling appears to have been made on untenable grounds." *Halloran,* 32 Conn. App. at 614, 630 A.2d at 147. Clearly, Petitioner cannot support and has not supported such an assertion with relation to the transfer of this case to the Complex Litigation Docket Court at Stamford. Petitioner has not even alleged that the decision to transfer the Main Action was made on untenable grounds.

Petitioner's implied argument that her right to choose venue has been violated is similarly unconvincing. Choice of venue has never been determined to be a fundamental constitutional right. See *State of Connecticut v. Orsini,* 187 Conn. 264, 270, 445 A.2d 887, 891 (Conn. 1982) where the court rejected a claim in a criminal case that statutory venue provisions involve a constitutional right regarding the composition of a potential jury.

A procedure for case management, such as the Connecticut statutes authorizing the transfer of a case to the Complex Litigation Docket, does not deprive a litigant of due process rights if that litigant still has his or her day in court. *In re Drexel Burnham Lambert Group, Inc.,* 160 B.R. 729, 733 (S.D.N.Y. 1993). Moreover, the fundamental right to which a litigant is entitled is that of access to the courts. *Des Vignes v. Dep't of Transp.,* 791 F.2d 142, 144 (Fed. Cir. 1986). The mere transfer of a case to another docket does not deprive a litigant of access to the courts. *Des Vignes,* 791 F.2d at 144. As is

clear from a review of the record provided, Liebel had numerous opportunities to be heard. Her access to the courts of the State of Connecticut has been unimpeded, unfettered and undisputed.

As is equally clear, every court has discretion to manage its own docket. *Des Vignes*, 791 F.2d at 14; see also, *Rodriguez v. Weprin*, 116 F.3d 62, 66 (2d Cir. 1997). ("A court's inherent power to control its docket is part of its function of resolving disputes between parties.") Liebel apparently is dissatisfied or deems it inconvenient for the State of Connecticut to have chosen to manage its docket in such a way. [8]

Liebel at no point claims that she was not given notice of the Complex Litigation Docket related proceedings or that she was denied an opportunity to be heard with respect to the transfer of the Main Action. Petitioner cites *Baldwin v. Hale*, 68 U.S. 223, 233 (1863) for the proposition that "parties whose rights are to be affected are entitled to be heard; and in order that they may enjoy that right they must first be notified." The Appendices to Liebel's Petition make it abundantly clear that she had notice of all of the relevant proceedings. Further, the Appendices show that Liebel was given an opportunity to be heard by the Superior Court, the Complex Litigation Docket at Stamford and the Appellate Court of Connecticut. In the case of *Hovey v. Elliot*, 167 U.S. 409, 415 (1897), the Court stated that "notice is only for the purpose of affording the party an opportunity of being heard upon the claim or

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[8] Liebel's attempt to characterize her commute to court as "long distance litigation" merits no rebuttal. [See Liebel's Petition for Writ of *Certiorari*, at page 25.]

the charges made; it is a summons to him to appear and speak..." Liebel clearly had such opportunities at the hearing of her Objection and when her appeal was dismissed. She presented her objections to the transfer at a hearing on November 15, 2000. [See Liebel's Petition for Writ for *Certiorari*, at page 7.] She also notes that she was provided an opportunity to be heard on March 12, 2001, and that Attorney Morin was present at that hearing. [See Liebel's Petition for Writ of *Certiorari*, at page 10.] [9]

Despite her chorus of protests claiming denials of due process, Liebel consistently retained access to the courts of the State of Connecticut. It is undisputed that the Complex Litigation Docket Court provided her with notice and opportunities to be heard. Therefore, the procedure used and the occurrence of transfer itself did not compromise Liebel's due process rights. [10]

Even if Liebel's Petition could be construed as challenging the constitutionality of the Complex Litigation Docket transfer statute, such a challenge would surely fail. The standard for review would be the "rational basis" standard because no fundamental right is implicated. *Reno v. Flores*, 507 U.S. 292, 311-312, (1993) (restriction of a right that is not fundamental is

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[9] That Liebel apparently dismissed her counsel only shows that her subsequent lack of representation was of her own making. [See Liebel's Petition for Writ of *Certiorari*, at page 8.]

[10] Liebel also boldly alleges that the judge presiding at the November 15, 2000 hearing departed from "traditional adjudication standards." [See Liebel's Petition for Writ of *Certiorari*, at page 25.] Petitioner neglects to specify the "traditional standards" that she alleges were disregarded, how those standards were ignored, and how Petitioner was allegedly harmed as a result.

sufficiently justified if it is rationally connected to the government's interest). See also, *State of Connecticut v. Angel C.*, 245 Conn. 93, 715 A.2d 652 (Conn. 1998) where a challenge to the constitutionality of a transfer statute allowing the transfer of a matter from the juvenile docket to the regular criminal docket of the Connecticut Superior Court was reviewed on the rational basis standard and was found not to offend due process.

Insofar as no fundamental rights are implicated in the transfer of a case to the Complex Litigation Docket, this argument as a basis for *certiorari* should be rejected.

B. Denial of Appeal

Liebel contends that the Connecticut Supreme Court should have heard her appeal of the Order transferring the Main Action and three of the Related Actions to the Complex Litigation Docket.

However, the Connecticut Supreme Court properly refused to hear Liebel because she appealed from a judgment that was not final. In Connecticut, the jurisdiction of the Supreme Court is generally restricted to appeals from final judgments. *Melia v. Hartford Fire Ins. Co.*, 202 Conn. 252, 254, 520 A.2d 605, 605 (Conn. 1987); see also, Conn. Gen. Stat. Section 52-263. [11] In

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[11] Connecticut General Statute § 52-263, concerning appeals from the Superior Court, provides:

Upon the trial of all matters of fact in any cause or action in the Superior Court, whether to the court or jury, or before any judge thereof when the jurisdiction of any action or proceeding is vested in him, if

Connecticut, the only circumstances under which an interlocutory order may be appealed are: (1) where the order or action terminates a separate or distinct proceeding; or (2) where the order or action so concludes the rights of the parties that further proceedings cannot affect them. *Melia*, 202 Conn. at 254, citing *State v. Curcio*, 191 Conn. 27, 31, 463 A.2d 566, 569-570 (Conn. 1983).

Neither of these circumstances pertain here. Liebel seemingly misconstrues the meaning of "final," asserting that the interlocutory order was "final" in the sense that the Main Action was placed on the Complex Litigation Docket until the conclusion of the litigation.

As stated by the Connecticut Supreme Court, "'[t]he test [of] whether a judgment is 'final,' in the sense that an appeal may be taken from it, lies not in its nature, for the case may still remain in the trial court for further proceedings, but in its effect as concluding the rights of some or all of the parties." *Gores v. Rosenthal*, 148 Conn. 218, 221, 169 A.2d 639, 640 (Conn. 1961). It cannot sensibly or credibly be maintained that Liebel's rights have been impacted or adversely affected, let alone concluded, by the transfer of the Main Action and three of the Related Actions to a different State of Connecticut Superior Court Docket

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either party is aggrieved *by the decision of the court or judge upon any question or questions of law arising* in the trial, including the denial of a motion to set aside a verdict, *he may appeal* to the court having jurisdiction *from the final judgment* of the court or of such judge, or from the decision of the court granting a motion to set aside a verdict, except in small claims cases, which shall not be appealable, and appeals as provided in sections 8-8 and 8-9 [Emphasis Added]. Conn. Gen. Stat. § 52-263 (2001).

for the purpose of case management and administration.

Liebel relies on *Doe v. Yale University*, 2000 WL 1683401 (Conn. Super. Ct., Oct. 13, 2000) in support of the notion that the Main Action should not have been transferred. In *Doe*, the Superior Court sustained the plaintiff's objection to the transfer of that case from the Judicial District of New Haven to the Complex Litigation Docket. *Doe*, however, involved only one plaintiff and one defendant, unlike Liebel's odyssey to add defendants, claims and "related" actions. Furthermore, the *Doe* court noted that it was well within its discretion to sustain or overrule an objection on the transfer of a case to the Complex Litigation Docket. *Doe*, 2000 WL 1683401 at *2. In this case, however, Petitioner has not argued, nor can it be shown, that either the Appellate Court or the Connecticut Supreme Court abused their discretion. Regardless of any adverse consequence as perceived by Liebel, Petitioner has not offered any reason whatsoever why the decisions in this case should be reviewed by this Court.

Petitioner misinterprets the case law she cites, arguing that the interlocutory order transferring the Main Action to the Complex Litigation Docket is appealable as a final judgment because the Order involved a claimed right "the legal and practical value of which would be destroyed if not vindicated before trial." *Curcio*, 191 Conn. at 33-34, 463 A.2d at 571. In *Curcio*, the lower court's determination that a criminal defendant's appearance before a second grand jury did not invoke the double jeopardy clause was deemed not to be final, and, accordingly, the appeal from that order

was dismissed. The finality test applied by the *Curcio* court, and which Liebel claims is applicable, allows appeal from an interlocutory order only if "the order or action so concludes the rights of the parties that further proceedings cannot affect them." *Curcio*, 191 Conn. at 31, 463 A.2d. at 569-570. This is clearly not such a case.

The case of *In re Juvenile Appeal* (84-2), 1 Conn. App. 378, 472 A.2d 795 (Conn. App. Ct. 1984), is illustrative. In that criminal case, the court held that an order denying a transfer from the juvenile court to the regular criminal docket was not appealable under the *Curcio* test. The court found that the "attempt to appeal a merely procedural order flouts the well recognized policy against piecemeal litigation." *Juvenile Appeal*, 1 Conn. App. at 383.

In this matter, transfer to the Complex Litigation Docket did not conclude the due process rights of Petitioner, because she has obviously had notice and every meaningful opportunity to be heard, and still has every right to proceed with her case.

Clearly, in that no constitutional rights of Liebel are impacted by the actions below, no question of federal law has been presented for review by this Court.

2. Liebel's Petition Does Not Meet The Standard For Granting *Certiorari* Under Rule 10 Of This Court

This Court's limited scope of review on petitions for *certiorari* is reflected in its own rules. Rule 10 provides:

> Review on a writ of *certiorari* is not a matter of right, but of Judicial discretion. A petition for a writ of *certiorari* will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:
>
> > (a) a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such departure by a lower court, as to call for an

> exercise of this Court's supervisory power;
>
> (b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;
>
> (c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.
>
> A petition for a writ of certiorari is rarely granted when the asserted error consists of erroneous factual findings or the misapplication of a properly stated rule of law.

Rule 10 of the Rules of the Supreme Court of the United States (1999).

The last sentence of Rule 10 is unmistakably clear. As noted in a commentary on the Court's *certiorari* docket: "[W]here the applicable rule of law is settled, the Court will not supervise its application to particular facts and circumstances even if the

application is arguably wrong." Stephen M. Shapiro, *Certiorari Practice: The Supreme Court's Shrinking Docket*, 24 LITIGATION 25, 26 (No. 3, Spring 1998). Liebel presents no "compelling reason" as to why the Court should favor her with a writ of *certiorari*. The denial by a state court of a discretionary appeal on procedural grounds relating to state court guidelines for the efficient management and operation of its judicial resources is well within constitutional bounds.

Although the three enumerated instances favoring the grant of *certiorari* are specifically indicated to be neither exclusive nor controlling, they provide the basic guidelines. It is important to note that Liebel has neither pointed to conflicts among U.S. Courts of Appeal with regard to the issues she has raised, nor has she pointed to a decision that conflicts with that of a state court of last resort. Further, regardless of Petitioner's arguments that her constitutional rights have been denied, she has not indicated that the Connecticut Supreme Court has decided an important federal question that conflicts with the decision of another state court of last resort or of a United States Circuit Court of Appeals. Similarly, Petitioner's contentions that the Connecticut Supreme Court has decided an important question of federal law that has not been addressed by this Court are without merit. Instead, Liebel's argument that her due process rights have been denied is an attempt to have a discretionary decision by a Connecticut state court overruled after her attempts in the Appellate Court of Connecticut and the Connecticut Supreme Court have failed.

Liebel requests that this Court involve itself in a purely state court matter in which the Connecticut

courts have considered and applied local procedural rules, all the while liberally sprinkling allegations of "no due process" in the hope that a federal question will somehow surface.

Even a cursory review of Liebel's Brief reveals that Liebel does not provide any legal support for her abstract contention that an important federal question was involved in the transfer of the Main Action to the Complex Litigation Docket, or that an important federal question was involved in the Connecticut Appellate Court's denial of her appeal.

All in all, it cannot be argued that there exists any justification, much less any compelling justification, sufficient to invoke the attention and involvement of the U.S. Supreme Court. While Liebel's lament of "due process" violations clutter her submission, there are no facts or law asserted that support such a contention. She vaguely states that the transfer of the Main Action to the Complex Litigation Docket has "deprived her of life, liberty and property without due process," and that the transfer has "severely abridged privileges and immunities of the Petitioner." [See Liebel's Petition for Writ of *Certiorari*, at page 3.] However, she fails to state any specific facts that would demonstrate how the state court's determination and construction of its procedural process and mechanisms are the cause of her perceived ills.

Petitioner also miscites *Carey v. Piphus*, 435 U.S. 247, 259 (1978), to support her proposition that "Judge Langenbach's Interlocutory order transferring this

matter in the manner that he did was an unjustified or mistaken deprivation of Petitioner's life, liberty, or property and therefore, a violation of the Petitioner's Due Process rights." [See Liebel's Petition for Writ of *Certiorari*, at page 23.] The *Carey* decision did not in any manner discuss interlocutory orders and their potential impact on procedural due process rights. Instead, the Court in *Carey* considered the requirements for the imposition of damages for violations of due process. Here, Petitioner has not only failed to iterate how her life, liberty or property was mistakenly or unjustifiably deprived, but that her life, liberty or property was deprived at all. Liebel's primary argument is that her travel time to the court will be marginally longer than before. [12] This mild inconvenience does not rise to the level of a deprivation of life, liberty or property, and cannot possibly suffice to demonstrate a denial of due process.

The transfer of the Main Action was specifically authorized by state statute, was within the discretion and authority of the court at issue and concerned solely a matter of state court procedure. The Connecticut court's administration of the procedural mechanisms for the Complex Litigation Docket, given the nature of the Main Action and the tangentially related disputes, did not compromise any of Liebel's constitutional rights. The non-final interlocutory nature of the Orders in dispute simply did not provide the Connecticut Appellate Court with the jurisdiction it required to hear

---

[12] Petitioner also asserts that "her life and her family's are at risk" [See Liebel's Petition for Writ of *Certiorari*, at page i] and accuses certain parties of attacks against her. [See Liebel's Petition for Writ of *Certiorari*, at page 18.]

the appeal as a threshold matter. Neither court action deprived Liebel of a constitutional right to notice or an opportunity to be heard.

CONCLUSION

For the reasons set forth herein, Liebel's Petition for a Writ of *Certiorari* should be denied.

Dated: Stamford, Connecticut
October 10, 2001

Respectfully submitted,

Michael K. Stanton, Jr.
Attorney of Record
WEIL, GOTSHAL & MANGES, LLP, BRIDGE TO BROTHERHOOD, INC., MARK HOENIG, DAVID STONE, IRA MILLSTEIN AND MARVIN JACOB
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Stamford, CT 06901
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Attorneys for Respondents

Supreme Court, U.S.
FILED
OCT 7 2001
CLERK

(3)

No. 01-258

In The

Supreme Court of the United States

Yvonne Liebel

Petitioner,

v.

Eugene Grant, Esq.; Robert Nagro; Richard Solomon; Ridgefield Bank; Weil, Gotshal and Manges, LLP; Bridge to Brotherhood, Inc.; Mark Hoeing, Esq.; David Stone, Esq.; Ira Millstein, Esq.; Marvin Jacob, Esq.; Reynolds and Rowella, LLP.; PricewaterhouseCoopers, LLP/Kesselman & Kesselman, LLP.;

Respondents.

On Petition For Writ Of Certiorari
To State Of Connecticut Appellate Court

PETITIONER'S SUPPLEMENTAL BRIEF TO PETITION FOR WRIT OF CERTIORARI

Yvonne Liebel, **Pro Se**
8913 Olimpic Blvd. Suite 101, Beverly Hills, CA 90211
e-mail: yliebel @ aol.com
Tel: (310) 657-2771 Cell: (310) 435-0769 Fax: (310) 657-2731

32 pp

QUESTION PRESENTED

Do the recent actions of the Connecticut Superior Court, through its Complex Litigation Docket, continue to violate the Petitioner's Due Process rights?

Question is addressing continued violations of Petitioner's constitutional rights to Due Process and Equal Protection Of The Laws under the
Fourteenth Amendment of The United States Constitution

This litigant's life and her family's are at risk

PARTIES TO THE PROCEEDINGS

Plaintiffs /Petitioners

Yvonne Liebel, Petitioner, is an individual and has no corporate affiliation; **The Alliance Foundation, Inc.**, a Connecticut 501 (c)(3) non-stock corporation; **Alliance Capital, Inc.**, a Connecticut corporation with no parent or publicly held company; **General Homes, Inc.** a Connecticut corporation with no parent or publicly held company; **Alliance International Development Corp.**, a Connecticut corporation with no parent or publicly held company; **DTL-USA, Inc.**, a Connecticut Corporation with no parent or publicly held company.

Defendants/Respondents

Eugene Grant, Esq., an individual and has no corporate affiliation ; **Robert Nagro,** an individual and has no corporate affiliation; **Richard Solomon,** an individual and has no corporate affiliation; **Ridgefield Bank**, a Connecticut corporation, a commercial bank with no parent or publicly held company; **Weil, Gotshal and Manges, LLP,** a New York limited Liability Partnership; **Mark Hoeing, Esq.**, an individual and has no corporate affiliation; **David Stone, Esq.**, an individual and has no corporate affiliation; **Bridge to Brotherhood, Inc.**, a New York 501(c)(3) non stock corporation; **Ira Millstein, Esq.**, an individual and has no corporate affiliation; **Marvin Jacob, Esq.**, an individual and has no corporate affiliation; **Reynolds and Rowella, LLP.** a Connecticut , Limited Liability Partnership; **PricewaterhouseCoopers, LLP/Kesselman & Kesselman,** a Delaware Limited Liability Partnership.

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BASIS FOR JURISDICTION

This Supplemental Brief is in response to new intervening matters not available at the time of the Petitioner's filing of the Petition for Writ of Certiorari on July 30, 2001. This Brief is filed in accordance with Rule 15.8 of the Supreme Court of the United States, under which the jurisdiction of this Court is invoked.

STATEMENT OF NEW FACTS

1. Since ***August 26, 2001***, Petitioner has been and continues to be for the next 45-60 days the primary care giver to her father in California who since the filing of the Writ on ***July 30, 2001*** suffered a second stroke and a heart attack. The following is a temporary change of address for the next 60 days:
Yvonne Liebel c/o DHA Development, Inc.
8913 Olimpic Blvd, Suite 101, Beverly Hills, CA 90211
Tel: (310) 657-2771 Cell: (310) 435-0769 Fax: (310) 657-2731

2. On ***October 11, 2001***, granted a 30 day extension, a Brief in Opposition was filed by Attorney of Record for respondents: Weil, Gotshal & Manges, LLP; Bridge to Brotherhood, Inc.; Mark Hoenig; David Stone; Ira Millstein; and Marvin Jacob;

3. Due to Petitioner's situation and lack of legal counsel, on ***October 22, 2001*** (due date to file a Reply Brief) Petitioner mailed via U.S. Express Mail, an Application for Extension of Time till ***December 10, 2001*** to file the Reply Brief (App. A). Petitioner did not receive the Court's reply but learned of a November 9, 2001 conference.

4. On ***October 23, 2001***, Petitioner was examined and a biopsy was taken for an unusual thyroid cystic lesion possibly due to an extended exposure to the water at her residence (to date Petitioner's residence can not be occupied more than on a very limited basis until environmental problems are resolved (Page 18 of Petition)).

5. On ***October 23, 2001,*** Petitioner received a message on her cell phone at (310) 435-0769 at approx. 2:45PM Pacific Time from Ms. Brenda Hamilton, Esq., Court Officer for Hon. Judge Michael R. Sheldon at the Waterbury Superior Court, Complex Litigation Docket in Waterbury, Connecticut.

6. On ***October 24, 2001,*** Petitioner returned Ms. Hamilton's call only to find out that five weeks prior, without her knowledge or consent, her case(s) were transferred from the Complex Litigation Docket in Stamford, Connecticut to the Complex Litigation Docket in Waterbury, Connecticut. According to Ms. Hamilton the Judge at the Stamford Complex Litigation Docket recused from these cases due to conflict-of-interest with one of the Defendants' law firms (Ms. Hamilton did not know which law firm) and was transferred to another district (also unknown to Ms. Hamilton). Petitioner was shocked. For the past year, Hon. Judge Tierney was fiercely intent on transferring these cases to his Court and was scheduled to remain in Stamford for an extended term or at least until these cases were concluded. A conflict-of-interest this late in the process; his sudden transfer; and the transfer of the cases to Waterbury Complex Litigation raised more questions than answers. Ms. Hamilton, however, refused to provide Petitioner with any additional information, only that an Initial Status Conference was scheduled for October 29, 2001 at the Waterbury Complex Litigation Docket, Hon. Judge Michael R. Sheldon presiding. Petitioner informed Ms. Hamilton that she was unable to attend the Conference due to her domestic situation; that the corporations had no legal counsel; and that the issues concerning counsel and the transfer of these cases from the Danbury Superior Court in Danbury, Connecticut to <u>any</u> Complex Litigation Docket in the State of Connecticut were pending an appeal to the U.S. Supreme Court. Petitioner also reminded Ms. Hamilton that until the Appeal process was concluded, the Danbury Superior Court had jurisdiction over these cases. Petitioner requested that the Initial Status Conference be delayed until these issues were resolved. Ms. Hamilton promised to convey the message to Hon. Judge Sheldon.

7. On ***October 25, 2001,*** Petitioner called Ms. Rose-anne Rush, Esq. the Court Officer at the Complex Litigation Docket in Stamford to find out about the transfer. Ms. Rush was absent until October 29, 2001. Petitioner also called Attorney Kevin Ahern, who according to Ms. Hamilton, was still listed as attorney for the corporations. Petitioner left a message for Attorney Ahern requesting information.

8. On ***October 26, 2001,*** Petitioner received lab results with regard to the Thyroid Cyst: " Type of cystic lesion cannot be determined as there are only rare poorly preserved follicular cells." Doctor was puzzled by report and ordered a second opinion. Opinion pending.

9. On ***October 26, 2001,*** Petitioner received from Attorney Ahern copies of notices with regard to the transfer. Accordingly, Hon. Judge Chase Rogers replaced Hon. Judge Tierney at the Complex Litigation Docket in Stamford and it was Judge Rogers who recused from these cases. Her recusal provided the basis for the reassignment of these cases to the Chief Administrative Judge of the Civil Division; the cancellation of a Status Conference scheduled for September 12, 2001 at Stamford (App. B); and the subsequent transfer of these cases to the Waterbury Complex Litigation Docket in Waterbury (App. C).

9. On ***October 28, 2001,*** as customary in Connecticut Superior Courts Short Calendar hearings, Petitioner informed Ms. Hamilton, in writing, of her special circumstances in California; the absence of counsel to represent her and the Plaintiff corporations; the pending appeal at the U.S. Supreme Court; and asked Ms. Hamilton to Mark Off Not Ready the scheduled conference (App. D).

10. On ***October 29, 2001,*** although Petitioner pleaded with the Waterbury Complex Litigation Docket in Waterbury to hold off on the Status Conference, Hon. Judge Michael R. Sheldon held the scheduled conference with all opposing counsel present, absent Petitioner(s) and any legal representation for them (App. E). According to Ms. Hamilton, Hon. Judge Sheldon together with

opposing counsel set a litigation schedule. Petitioner was told to expect a 30 page Transcript to be ready on November 6, 2001. At the Conference Hon. Judge Sheldon granted Attorney Kevin Ahern's Motion To Withdraw from representation. Following the conference Attorney Kevin Ahern strongly recommended to Petitioner to immediately obtain new counsel or risk default of cases (App. F).

REASONS FOR GRANTING THE WRIT OF CERTIORARI

The zeal shown by the Connecticut Court System and the Respondents in keeping this case(s) in the Complex Litigation Docket with its vague rules and away from the Connecticut Superior Court where clear cut Connecticut Law is applied, is highly suspect. In an attempt to "fix" and camouflage the outrageous injustice that was done to this Petitioner and the corporations under her care while keeping this case(s) in the Complex Litigation Docket, the Connecticut Court System once again played into the Respondents' powerful hands by transferring the case from the Stamford Court whose conduct since November 15, 2000 clearly demonstrated the adjudication ills of the Complex Litigation Docket (all its rules; decisions; errors and omissions; without exception, were in favor of Defendants and not subject to appeal). It seems the transfer was an attempt to isolate the problem to a single judge at Stamford in an effort to salvage the reputation or existence of this highly criticized Docket, while continuing to subject the Petitioner to its unconstitutional standards and deprive her of her due process rights and the equal protection of the laws.

In addition, when powerful law firms rob their pro-bono clients to serve their own interests (Petition, App. D3, at 26a), confident that those clients couldn't bring a suit against them; Summon their legal Fraternity to protect them against lawsuits even at the cost of violating precious laws; Threaten individual attorneys who braved their peers' pressure, by leaving slashed rabbits on their door step; threaten 'they could never work again in their legal profession'; threaten with sanctions and loss of their license, etc.,

then these powerful law firms have taken the legal system hostage. This Petitioner(s) was a victim of their methods for two and a half years prior to filing the lawsuits and throughout this litigation. In their Brief in Opposition, the Respondents ignored this issue entirely, which has everything to do with their obstruction of justice and the denial of the Petitioner's rights to due process and equal protection of the laws. This is not a State matter as these Respondents would like this Court to believe, but an extreme violation of Federal and Constitutional laws that are subject to this Court's jurisdiction. Their deeds were carefully chronicled in the Petitioner's Third Amended Complaint and supported by necessary exhibits that enabled two Superior Court judges to independently cite them in as Defendants in this litigation. Although the Writ and this Brief were forced to be submitted only with respect to the Petitioner as the corporations "lost" their counsel just prior to the filing of the Writ, the arguments made herein are equally applicable to the Plaintiff corporations that are parties to these proceedings.

CONCLUSION

1.This Petitioner's painful saga with the Complex Litigation Dockets in the State of Connecticut continues to cause significant damage to this case(s) and the only possible relief is a United States Supreme Court decision to return these cases to their original Superior Court in Danbury where proper venue lies and where Connecticut law can provide some shield against the Respondents' actions. This Petitioner prays this Court will grant this transfer.

2.Without the United States Supreme Court's intervention this Petitioner and the corporations under her care will never be able to secure zealous legal counsel to represent their interests, to which they are entitled to under the Constitution of the United States of America, and justice will forever be denied them. This Petitioner prays that this distinguished Court will assist this Petitioner(s) in obtaining such counsel so that justice can be served.

Dated: Beverly Hills, California
November 5, 2001

Respectfully Submitted,

Yvonne Liebel, Pro Se
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(310) 657-2771 (310) 435-0769
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APPENDIX A

Yvonne Liebel

8913 Olimpic Blvd, Suite 101,Beverly Hills, CA 90211
Tel: (310) 657-2771 Fax: (310) 657-2731

October 22, 2001

Via: U.S. Express Mail

(202) 479-3024
Mr. Frank Lorson
Chief Deputy Clerk
United States Supreme Court
One First Street – NE
Washington, D.C. 20543

Re: Liebel v. Grant et al
Case No.: 01-258

Dear Mr. Lorson:

With respect to the above matter, any Reply Brief in response to Brief in Opposition filed by Attorney of Record for respondents: Weil, Gotshal & Manges, LLP; Bridge to Brotherhood, Inc.; Mark Hoenig; David Stone; Ira Millstein; and Marvin Jacob, on October 11, 2001 is presently due today, ***October 22, 2001.*** Please allow this correspondence to serve as Application for Extension of Time to file a Reply Brief in response to the Brief in Opposition from the present date of October 22, 2001 to ***December 10, 2001.***

The reason for this requested extension of time is tha additional time is necessary in order to allow this Petitioner to try to obtain some legal assistance, complete, finalize and serve a

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submission to this Court. In addition, Petitioner, who is in pro se with respect to this matter, for the past couple of months has been and continues to be the primary care giver to her father in California who since the filing of the Petition for Writ of Certiorari on July 30, 2001 had suffered a second stroke and a heart attack. With this fragile and limiting situation Petitioner may or may not be able to file the Reply Brief within this time frame. However, Petitioner wishes to obtain this extension in order to make every effort to respond given the misstatements, discrepancies, omissions, innuendos, and the like in the Respondents' Brief in Opposition.

One example of a misstatement is in the footnotes on page 9 of the Respondents' brief. The respondents refer to August 8, 2001 as the date of service of the Petition in which the corporate Plaintiffs are not represented. This date is incorrect.

Correct date is August 13, 2001. The initial Petition was filed and served on July 30, 2001. On August 8, 2001, Petitioner was requested to correct the petition by removing the corporate petitioners. On August 13, 2001, Petitioner submitted the corrected petition and served the appropriate parties. This was stated in the Court's letter of August 14, 2001, copy of which was sent to the respondents. To support this argument please see the attached letter dated August 15, 2001 from the Petitioner to approximately 650 contributors and friends of the Alliance Foundation, Inc. throughout the U.S, Europe and Israel as part of an ongoing update on this litigation (8 pages). Please also see attached a letter from the law firm of Zeldes, Needle & Cooper of Connecticut responding in the negative to providing the Petitioner and the corporations legal counsel (1 page). This was the Petitioner's latest attempt to secure counsel before preparing, filing and serving the Petition for Writ of Certiorari in pro se.

Given that Petitioner must stay in California for at least the next 30-45 days, kindly forward all future communications during this period to the address listed on this stationary.

ABLE COPY

Thank you for your time and attention.

Very truly yours,

Yvonne Liebel

Cc: Michael K. Stanton, Esq.
695 East Main Street
Stamford, CT 06901

Stephen Fogerty, Esq.
Halloran & Sage
315 Post Road West
Westport, CT 06880

Frank J. Silvestre, Jr.
Zeldes, Needle & Cooper
1000 Lafayette Blvd.
Post Office Box 1740
Bridgeport, CT 06601-1740

Attachments:

1. Letter dated August 15, 2001 to contributors and friends of The Alliance Foundation, Inc.
2. Letter from Zeldes, Needle & Cooper of Connecticut;
3. Supreme Court Letters

Attachment 1:

THE ALLIANCE FOUNDATION, INC.

August 15, 2001

Dear Alliance Friend and Contributor,

I hope this letter finds you and yours well.

Since I have written to you last, on December 14, 2000, the struggle to save The Alliance Foundation, Inc., its assets and mission, continued both in and out of the Connecticut courts. I'm writing to you from Washington, D.C. where I have spent the last few days finalizing the filing of an appeal to the United States Supreme Court in a form of a "Petition for Writ of Certiorari" booklet.

Let me briefly update you as to what this means and how we got here.

Following several favorable rulings rendered by the Connecticut Superior Court in Danbury, two of which ordered us to amend our complaint to further include as Defendants: Weil, Gotshal and Manges, LLP; Mark Hoeing, Esq.; David Stone, Esq.; Ridgefield Bank; Bridge To Brotherhood, Inc.; Ira Millstein, Esq.; and Marvin Jacob, Esq.; On October 12, 2000, the Defendants filed an application to the Court to transfer the case to the so-called Complex Litigation Docket in another city (Stamford, Connecticut) where their attorneys are located. We vehemently objected to the transfer citing physical, financial and logistic difficulties that would

seriously compromise our ability to litigate our case in a litigation that was already grossly mismatched.

Note: Neither the UJA nor any other charitable or governmental organization which is directly or indirectly connecte with the Defendants and to this matter are defendants in this actior

The Connecticut Courts ignored our numerous compelling objections via appeals to the Appellate and Supreme Courts and transferred the case. In the process, the Courts violated our due process rights and our right to equal protection of the laws as guaranteed to us under the Fourteenth Amendment of the United States Constitution by not allowing for a hearing at the Danbury Superior Court prior to the transfer; by holding a "staged" and "un meaningful" hearing, after the fact, at the Complex Litigation Docket in Stamford; by transferring our litigation to a Court that deviated from State adjudication standards without providing a "road map" as to what rules and procedures the Complex Litigatio Docket was subjected to, and/or legal assistance, to enable us to appropriately function within its boundaries. Further, toward the end of the nine months appeal process and without legitimate reasons both our part-time attorneys resigned.

Following a couple of months of lone preparation under extreme physical and emotional conditions and without Connecticut counsel, on July 30, 2001, I filed, in pro se, the Petition for "Writ of Certiorari" to the United States Supreme Court on behalf of The Alliance Foundation, Inc., the other Plaintiff corporations connected with this action (Alliance Capital, Inc.; Alliance International Development Corp.; General Homes, Inc.) and myself, appealing the transfer and other Court actions, as well as, questioning the validity of the Complex Litigation Docket and Managerial Judging within this Court/ Docket. The three questions presented before the U.S. Supreme Court in the Petition are:

I Is an Interlocutory Order not-appealable where Due Process is denied a civil litigant?

II Is civil litigant's Due Process not violated when the litigant is denied counsel?

III Does pretrial managerial judging in Complex Litigation Courts violate Due Process when the courts depart from state adjudication standards without a well-publicized body of rules and procedures that is accessible to all litigants?

On August 2, 2001, the Clerk of the United States Supreme Court denied the Petition stating that the 90 days period to file the petition had expired. The U.S. Supreme Court tolled the time from an April 27, 2001 partial Order issued by the Connecticut Supreme Court and not, as stated in the petition, from a complete and final order issued on May 7, 2001(see August 2, 2001 computer generated letter, original is in Connecticut)

On August 3, 2001, I filed a "Motion Directing the Court to File the Petition", contesting the Court's decision, arguing that the April 27, 2001 Connecticut Supreme Court Order was incomplete and could not stand on its own merit. On August 8, 2001, I further filed an Addendum to the Motion asking the distinguished U.S. Supreme Court to review the validity of the Connecticut Supreme Court April 27, 2001 Order, and the wording of its May 7, 2001 Order.

Late in the day on August 8, 2001 and following a review of our motion and addendum, the United States Supreme Court issued a letter accepting the July 30, 2001 filing date and thereby the May 7, 2001 Connecticut Supreme Court Order from which the 90 days tolled. In its letter, the United States Supreme Court requested that I file a new Petition within 60 days of the date of the letter primarily correcting the size of the booklet; removing the names of the other plaintiffs from the cover page (as pro se, I could not represent the

corporations); and requesting that I direct the appeal to the Connecticut Appellate Court vs. the Connecticut Supreme Court (see attached August 8, 2001 letter.) On inquiry during the preparation of the Petition I was told both by outside counsel and the U.S. Supreme Court Clerk that the Connecticut Courts could not be listed as Respondents in this Petition.

On August 13, 2001, a corrected Petition for "Writ of Certiorari" (40 new booklets) was filed and received a docket No. 01-258. According to the U.S Supreme Court Clerk, the Defendants/Respondents will have 30 days to respond to the Petition after which time (could be several months) the U.S Supreme Court will render its decision.

On August 14, 2001, the U.S. Supreme Court issued a formal letter listing the July 30, 2001 as the filing date and placing the petition on the docket as of August 13, 2001 as No. 01-258 (see attached August 14, 2001 letter.)

Now on a more personal note:

While in D.C visiting with a new acquaintance, a doctor, at his practice (he was helpful in carrying and protecting the Petition booklets during a lengthy down pour), I met a Jordanian/Palestinian patient who was there for a physical exam renewing his taxicab's license. Considering the recent horrible suicide bombings in Israel it was hard for me to pursue a conversation with this man (in his early fifties) who first asked for my help in spelling the word "Paramount" on a document he was filling out and later proceeded to ask me where I was from.

Deciding to override my feelings in an attempt to reach out and understand his psyche, I told him that my parents who were born in Baghdad, Iraq, immigrated to Israel when I was a few months old. " Oh, you are a Jew" he exclaimed, seemingly disappointed. I acknowledged.

In a conversation that lasted about 30 minutes, I went on to name some popular Arabic singers to which he was surprised and delighted; I shared with him my visit to Amman Jordan in November 1995 (the Economic Summit) and my appreciation for the late King Hussein's efforts on behalf of peace, to which he had no special reaction, and my sadness for the loss of Prime Minister, Yitzhak Rabin and the peace process, to which he had no special reaction either. I then suggested that if Arabs and Israelis worked together, peacefully, they could build the Middle East to be so successful that it could compete with Europe and the U.S. To that, the man jumped with excitement and said: "Oh, but we could even be better than them..." His reaction was instinctive and genuine.

Although I made special attempt to "win him over" and he called me "my cousin", the conversation was cautious and intense. He then passionately asked why don't the Israelis give up the land for peace to Syria and to the Palestinians like they did with Egypt with which they enjoyed a lasting peace, because otherwise, he said, "Israel would only last-- maybe 20 years", I felt the blood rushing to my head. I then politely asked him how much land did he think the Israelis had to give up in order to secure peace? He intensely suggested that the Israelis should go back to the 1967 borders, prior to the Six Day War. I then asked the man if giving up this land would indeed secure peace between the Israelis and their Palestinian cousins, as he called them? The man replied: " There are no guaranties, of course. You have to trust God. You can't just be scared Israelis" and then he made gestures mimicking "scared" Israelis, " if not in this life maybe in the next life. There's another life after this you know" he said with certainty. Once again, I felt the blood rushing to my head. He smiled at me and affectionately said that I reminded him of a very close relative and then left.

Once he was gone, my heart wept. It wept for the emotional and physical manipulation and abuse of simple folk by fanatic leaders who thrive on chaos and destruction. The lack of constructive and productive leadership in a region that only a few

years ago showed such promise through global political dialogue and budding economic negotiations and partnerships. My heart wept for the confusion and mixed passions... and for lost opportunities. I thought about Mandela, and Gandhi, and Rabin and Saadat, and wondered how much longer does the Middle East have to endure before someone with their stature, vision, courage and charisma would come along to stop this Dance of the Devil and illuminate the way for peoples so lost yet so hungry for and deserving of life, liberty and the pursuit of happiness?

Warmest personal regards from me to you, always.

Yvonne Liebel,

The Alliance Foundation, Inc.
Founder and CEO

P.S. For copies of the Petition for "Writ of Certiorari" booklet, the Motion dated August 3, 2001, and the Addendum dated August 8, 2001, please contact me personally at:

Yvonne Liebel, The Alliance Foundation, Inc.
The Alliance Institute for Peace
106 Great Hill Road
Ridgefield, CT 06877
E-mail: yliebel @ aol.com
Tel: (203) 438-4677 Cell: (310) 435-0769 (you may have to dial 2-3 times)
Fax: (203) 438-0040 or (310) 657-2731

- Any contributions to The Alliance Foundation, Inc. and/or legal assistance will be most welcome.

Attachment 2:

ZELDES, NEEDLE & COOPER
A Professional Corporation

Attorneys at Law
1000 Lafayette Blvd.
Post Office Box 1740
Bridgeport, Connecticut 06601-1740
Telephone (203) 333-9441
Fax (203) 333- 1489

Frank J. Silvestri, Jr.
Direct Mail 203 332-5775
E-Mail fsilvestri@znclaw.com

May 14, 2001

VIA FACSIMILE
AND U.S. MAIL

Ms. Yvonne Liebel
c/o DHA
8913 Olimpic Blvd.
Beverly Hills, CA 90211

Re: Alliance Foundation Inc. et al v. Eugene Grant, et al

Dear Yvonne:

It was a pleasure meeting you last Friday and learning about your case.

I have discussed the matter with Mr. Zeldes and with our screening committee. I am sorry to report that our firm declines to undertake this matter.

We appreciate the fact that you considered retaining us, and wish you the best in the lawsuit and your future endeavors.

Cordially,

Frank J. Silvestri, Jr.

FJS: dbr

Attachment 3:

SUPREME COURT OF THE UNITED STATES
OFFICED OF THE CLERK
WASHINGTON, DC 20543-0001

William K. Suter
Clerk of the court

August 2, 2001

Area Code 202
479-3011

Yvonne Liebel
106 Great Hill Road
Ridgefield, CT 06877

RE: Yvonne Liebel v. Eugene Grant, et al.

Dear Ms. Liebel:

The above-entitled petition for writ of certiorari hand-delivered on July 30, 2001, is herewith returned for the following reason (s):

The petition is out–of-time. The date of the lower court judgment or order denying a timely petition for rehearing was April 27, 2001. Therefore, the petition was due on or before July 26, 2001. Rules 13.1, 29.2 and 30.1. When the time to file a petition for a writ of certiorari in a civil case (habeas action included) has expired, the Court no longer has the power to review the petition.

The May 7, 2001, letter from the Supreme Court of Connecticut to you does not toll the time within which to file a petition for writ of certiorari.

Your $300.00 check (#716) is herewith returned.

Sincerely,

William K. Suter, Clerk
By:
Gail Johnson
(202) 479-3038

Enclosures

SUPREME COURT OF THE UNITED STATES
OFFICED OF THE CLERK
WASHINGTON, DC 20543-0001

William K. Suter
Clerk of the court

August 8, 2001

Area Code 202
479-3011

Yvonne Liebel
106 Great Hill Road
Ridgefield, CT 06877

RE: Yvonne Liebel v. Eugene Grant, et al.

Dear Ms. Liebel:

Returned are copies of the petition for a writ of certiorari originally received on july 30, 2001, and received again on august 8 2001, which fails to comply with the rules of the Court.

If you intend to pay the $300 docket fee, the petition must b in booklet format and on paper that measures 6 1/8 by 9 ¼ inches. Rule 33.1 (a).

The appendix to the petition as required by rule 14 must be in booklet format and on paper that measures 6 1/8 by 9 ¼ inches. Rule 33.1 (a).

The caption of the case must appear as appropriate in this Court. Rule 34.1 (c).

The additional petitioners listed on the cover of the petition must be removed. The petition should be directed to the Appellate Court of Connecticut.

The text of the petition and appendix must be typeset Roman 11-point or larger type with 2-point or more leading between lines. The typeface of footnotes must be 9-point or larger with 2-point or more leading between lines. Please note that computer generated "Roman" font is smaller than traditional Roman type and you may need to increase the font size. Rule 33.1 (b).

Kindly correct the petition and appendix so that it complies in all respects with the Rules of the Court and return it to this office promptly so that it may be docketed. Unless the petition is received by this office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5

Three copies of the corrected petition must be served on opposing counsel. Rule 29.3.

This office shall retain one copy of the petition and your check in the amount of $300.00 in expectation of timely receipt of a properly prepared petition.

Sincerely,

William K. Suter, Clerk
By:
Gail Johnson
(202) 479-3038

Enclosures

SUPREME COURT OF THE UNITED STATES
OFFICED OF THE CLERK
WASHINGTON, DC 20543-0001

William K. Suter
Clerk of the court

August 14, 2001

Area Code 202
479-3011

Yvonne Liebel
106 Great Hill Road
Ridgefield, CT 06877

RE: Yvonne Liebel
v. Eugene Grant, et al.
NO. 01-258

Dear Ms. Liebel:

The Petition for a Writ of Certiorari in the above entitled case was filed July 30, 2001 and placed on the docket August 13, 2001 as No. 01-258.

Forms are enclosed for notifying opposing counsel that the case was docketed.

Sincerely,

William K. Suter, Clerk
By:
Gail Johnson
Assistant

Enclosures

APPENDIX B

A sample Notice:

Grant, Eugene M. VS.
Alliance Foundation CV-01-01B4856-S (xo5)

Notice:

THE HONORABLE CHASE ROGERS< PRESIDING JUDGE OF THE COMPLEX LITIGATION DOCKET AT STAMFORD IS RECUSED FROM THIS CASE. THIS CASE WILL BE REASSIGNED

BY THE CHIEF ADMINISTRATIVE JUDGE OF THE CIVIL DIVISION.

BECAUSE OF RECUSAL BY THE COURT< THE HEARING SCHEDULED FOR SEPTEMBER 12, 2001 IS CANCELLED>

R. RUSH, COURT OFFICER

Kevin W. Ahern
33 Heritage Hill Road

SUPERIOR COURT
123 HOYT STREET
STAMFORD, CONNECTICUT 06905 Branford CT 06405

DATED: SEP 05, 2001
FST

APPENDIX C

A Sample Notice:

JUDICIAL INFORMATION SYSTEMS REPORT DATE 9/20/2001
COUNSEL/PRO SE NOTIFICATION REPORT PAGE 01 OF 01

PLAINTIFF- ATTORNEYS AND PRO SE PARTIES

YVONNE LIEBEL
54 DANBURY RD. SUITE 300
RIDGEFIELD, CT 06877

JOYCE A. MORIN
559 RTE 6
P.O.BOX 110
MAHOPAC, NY 10541

DEFENDANT-ATTORNEYS AND PRO SE PARTIES

ROBINSON & COLE
FINANCIAL CENTRE
PO BOX 10305
STAMFORD CT 06904

RUCCI BURNHAM CARTA & ED
800 POST ROAD
PO BOX 1107 DARIEN CT 06820

LE COPY

CURTIS MALLET-PREVOST C(
FINANCIAL CENTRE
695 EAST MAIN ST
STAMFORD CT 06904

HALLORAN & SAGE
315 POST ROAD WEST
WESTPORT CT 06880

DOCKET NUMBER: CV-01-0183182-S (XO5)
CASE CAPTION: ALLIANCE FOUNDATION E
VS:
GRANT, EUGENE E

THIS CASE HAS BEEN TRANSFERRED TO THE HONORABLE MICHAEL SHELDON OF THE WATERBURY COMPLEX LITIGATION DOCKET FOR ALL FURTHER PROCEEDINGS.

A NEW DOCKET NUMBER WILL BE ASSIGNED BY THE WATERBURY COURT.

THE COURT OFFICER ASSIGNED TO THIS CASE IS BRENDA HAMILTON, ESQ. 203-236-8232

R.RUSH, COURT OFFICER
STAMFORD COMPLEX LITIGATION DOCKET

SUPERIOR COURT
123 HOYT STREET
STAMFORD, CONNECTICUT 06905

DATED: SEP 20, 2001
FST STAMFORD

APPENDIX D

Yvonne Liebel

8913 Olimpic Blvd, Suite 101, Beverly Hills, CA 90211
Tel: (310) 657- 2771 Fax: (310) 657-2731

October 28, 2001

Via Fax: (203) 236-8234 (2 pages)

Brenda M. Hamilton, Court Officer
Superior Court
Complex Litigation Docket
400 Grand Street
Waterbury, CT 06702
Phone: (203) 236-8232

Re: The Alliance Foundation, Inc. et al. v. Eugene Grant, et al
Eugene Grant v. The Alliance Foundation, Inc.
Eugene Grant v. Alliance Capital, Inc.
Eugene Grant v. Alliance Capital, Inc.

Liebel v. Grant et al
United States Supreme Court: Case No.: 01-258

Dear Ms. Hamilton:

Pursuant to your message on my cell phone (310-435-0769) on Tuesday, October 23, 2001 (approx. 2:35 pm West Coast time) and our subsequent conversation on the following day, October 24, 2001, this notice is to confirm that the Initial Status Conference scheduled for October 29, 2001 at 2:15pm at the Waterbury Complex

Litigation Docket at Waterbury is **MARKED OFF** pending United States Supreme Court (Docket No.01-258) decision appealing the Complex Litigation Docket's jurisdiction, anywhere within the State of Connecticut over the above cases and returning them to their original court at the Danbury Superior Court at Danbury.

In addition, one of the issues raised in the Petition for Writ of Certiorari is the absence of Counsel to represent the above cases. Attorney Kevin Ahern listed as legal counsel representing the 3 Grant v. Alliance cases in the documents you faxed me on October 24, 2001 with regard to the conference, resigned earlier this year and his resignation was accepted in July 2001. Attorney Joyce Morin who represented Alliance, et al v. Grant, et al., and DTL-USA and Yvonne Liebel v. Ridgefield Bank, also resigned in June 2001 and her resignation was accepted in July 2001. In July 2001, a notification of their resignation and acceptance of said resignation was sent to: Hon. Judge Tierney at the Complex Litigation Docket in Stamford; the Danbury Superior Court at Danbury; the Appellate/Supreme Court of the State of Connecticut; to all counsel of record and to the United States Supreme Court (as described and evidenced in the Petition).

I would also like to confirm in this notice that it was during our conversation on October 24, 2001, that I first learned about the above cases being transferred from the Stamford Complex Litigation Docket to the Waterbury Complex Litigation Docket five weeks ago (as you know, I was in California since August 26, 2001 due to my father's illness and awaiting the U.S. Supreme Court decision). According to you, the transfer was a result of a conflict-of-interest stemming from the Presiding Judge and one of the Defendants' law firms (you had no knowledge which law firm). I thought, of course, that the conflict had to do with Hon. Judge Tierney who presided over and persisted for the past 11 months on transferring these cases from the Danbury Superior Court to his Court. Upon further inquiry (I called Attorney Kevin Ahern) I learned that Judge Tierney was actually himself transferred to another district (the name of

which was unknown to Ahern as the Court Officer, Rose Anne Rush, did not wish to disclose this information) and the conflict-of-interest had to do with the new presiding Judge, Hon. Chase Rogers, it was therefore that the cases were transferred to Waterbury Complex Litigation Docket.

It is my understanding that in accordance with Connecticut law the above cases are under the jurisdiction of the Danbury Superior Court until such time that the United States Supreme Court decides this matter. Therefore, I do not wish to change my official mailing address as you suggested in your letter. However, I would greatly appreciate if meanwhile you could mail or fax to me any future communications to the California address and fax number listed on this stationary. I will be happy to pay for any additional expenses associated with this matter. For your information, the United States Supreme Court is scheduled to review the Petition for Writ of Certiorari on November 9, 2001.

I thank you in advance for your time and assistance.

Very truly yours,

Yvonne Liebel, pro se
Founder and CEO, The Alliance Foundation, Inc.
President, Alliance Capital, Inc.
President, General Homes, Inc.
President, DTL-USA, Inc.
President, Alliance International Development, Inc.

CC by fax to:
All Counsel of Record
Mr. Frank Lorson, Chief Deputy Clerk, United States Supreme Court (note: I was unable to fax Mr. Lorson)

APPENDIX E

VIA FAX 310- 657-2731

TO: Yvonne Liebel

FROM: Linda Rinaldi
Waterbury Superior Court
400 Grand Street
Waterbury, CT 06702

To confirm our telephone conversation today, I will prepare an expedited transcript of yesterday's hearing in the case of The Alliance Foundation cases. I estimate the transcript to be 30 pages and the cost is $3.50/page for expedited service.

Please fill out and return via fax the form that accompanies this fax transmission. Our fax is 203-236-8198. I will mail the transcript to you via overnight mail.

APPENDIX F

KEVIN W. AHERN

Attorney at Law

33 heritage hill road, Branford, ct, 06405

tel 203 488-4520, fax 203 488-1465, e-mail kwsahe @earthlink.net

October 30, 2001
Yvonne Liebel
106 Great Hill Road
Ridgefield, CT 06877

Re: Grant v. Alliance Capital, Inc.
Grant v. Alliance Capital, Inc.
Grant v. The Alliance Foundation, Inc.

Dear Eva;

My motions to withdraw from the above cases have been granted. The defendants in these cases need to have a new attorney file appearances in these cases immediately. If they do not, the defendants in these cases may not receive notices or copies of pleadings from the Court or opposing counsel. Opposing counsel may also move to default the defendants.

Thank you for your kind attention.

Sincerely,

Kevin W. Ahern

Cc: sent to Fax number 310-657-2731